



March 26th, 2015

Notice Of Meeting

You are invited to attend the Annual General Meeting to be held on **Tuesday, 31st March 2015** at **6:00 pm** in **Mourne Room, Downshire Civic Centre.**

Please note food will be served outside the Mourne Room at 6.30 pm.

Agenda

(1) **Apologies and Chairperson's Remarks.**

(The Presiding Councillor will chair the proceedings for the duration of the meeting as his term continues up to and including 31 March 2015.

(2) **Declarations of Interest.**

(3) **To agree Standing Orders. (Attached).**

Standing Orders Complete 26 March 2015 CM.pdf

Page 1

(4) **To agree Governance arrangements including:- (Information attached).**

- Committee Structures
- Committee Terms of Reference
- Scheme of delegation

Committee Structures.pdf

Page 26

Scheme of Delegation.pdf

Page 27

Enterprise, Regeneration & Tourism Cttee ToR.pdf

Page 58

(5) **To agree the method for the appointment of Statutory Positions of Responsibility.**

(Schedule 1 of the Local Government Act (NI) 2014 refers. Qualified majority vote is required: default method is d'Hondt - refer to Appendix 1 for d'Hondt order of pick.

Appendix 1 - Order of Pick PCSP.pdf

Page 69

(6) **Appointment of Statutory Positions of Responsibility.**

(Refer to Appendix 2 for list of appointments deemed to be Statutory Positions of Responsibility).

Appendix 2 - Statutory Positions of Responsibility Order of Pick - 11 March 2015 CM.pdf

Page 70

(7) **To agree the method for appointments to Committees.**

(Local Government Act (NI) 2014, Part 4 and Schedule 2 refers. Qualified majority vote is

required, default method is Quota of Greatest Remainder.

(8) Appointments to Committees.

(Refer to Appendix 3 for list of appointments to Committees, based on Quota of Greatest Remainder and allocation of remaining places on Committees based on d'Hondt.

[Appendix 3 - Appointments to Committees 13 march 2015 CM.pdf](#)

Page 71

(9) To agree the method for the appointment of representatives to external Bodies and Organisations (excluding Statutory Positions of Responsibility). (Report attached).

[Item 9 - Report on appointments.pdf](#)

Page 72

(10) Appointment of representatives to external Bodies and Organisations (excluding Statutory Positions of Responsibility).

(List of positions attached - Appendix 4).

[Appendix 4 - Appointments to External bodies 3 March 2015 CM.pdf](#)

Page 75

(11) Party Representatives' Forum. (Report attached).

[Party Representatives' Forum.pdf](#)

Page 76

(12) To agree the schedule of Meetings for the incoming year. (Schedule attached).

[Council Meetings - April 15-April 16.pdf](#)

Page 79

(13) To note the payment of Special Responsibility Allowances. (Report attached).

[Report on SRAs.pdf](#)

Page 96

[App I - SRAs.pdf](#)

Page 97

(14) Designation of the Chief Financial Officer.

(15) The Somme Association re:-

- Invitation for the Council to be represented at the 2015 Somme Pilgrimage for the 99th Anniversary from 28 June to 2 July 2015 (estimated price is £580 per person)
- Invitation for the Council to be represented at the 2015 Gallipoli Pilgrimage from 4th to 10th October 2015 (estimated price is £1350 per person).

Invitees

Cllr. Terry Andrews	terry.andrews@downdc.gov.uk
Cllr. Naomi Bailie	naomi.bailie@nmandd.org
Cllr. Patrick Brown	patrick.brown@nmandd.org
Cllr. Robert Burgess	robert.burgess@downdc.gov.uk
Cllr. Stephen Burns	stephen.burns@downdc.gov.uk
Cllr. Michael Carr	michael.carr@newryandmourne.gov.uk
Cllr. charlie casey	charlie.casey@newryandmourne.gov.uk
Cllr. Patrick Clarke	patrick.clarke@downdc.gov.uk
Cllr. Garth Craig	garth.craig@downdc.gov.uk
Cllr. Dermot Curran	dermot.curran@downdc.gov.uk
Mr. Eddie Curtis	eddie.curtis@newryandmourne.gov.uk
Cllr. Laura Devlin	laura.devlin@downdc.gov.uk
Mrs. Louise Dillon	louise.dillon@newryandmourne.gov.uk
Cllr. Geraldine Donnelly	geraldine.donnelly@newryandmourne.gov.uk
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Cllr. William Walker	william.walker@nmandd.org
Mrs. Marie Ward	marie.ward@downdc.gov.uk
Cllr. Clarke William	william.clarke@downdc.gov.uk

Comhairle Ceantair an Iúir, Mhúrn agus an Dúin

Newry, Mourne and Down District Council

2015



Standing Orders

March 2015

Newry, Mourne and Down District Council

STANDING ORDERS

Definitions

“2014 Act” means the Local Government Act (Northern Ireland) 2014;

“budget” means the expenditure authorised by a council under section 3 of the Local Government Finance Act (Northern Ireland) 2011;

“call-in” means a requisition for the reconsideration of a decision as provided for in section 41(1) of the 2014 Act;

“clerk” means the clerk of a council appointed under section 41 of the Local Government Act (Northern Ireland) 1972;

“committee” means a committee appointed under section 7 of the 2014 Act;

“delegated authority” means the discharge of a function under authority fixed by a council under section 7 of the 2014 Act;

“decision maker” means the body or person making an executive decision, a decision under delegated authority or a key decision;

“member” means a Councillor on that Council;

“nominating officer” means

(a) the person registered under the Political Parties, Elections and Referendums Act 2000 as the party’s nominating officer; or

(b) a member of the council nominated by that person for the purposes of Schedule 1 to the 2014 Act;

“party” means a party registered under the Political Parties, Elections and Referendums Act 2000 in the Northern Ireland register (within the meaning of that Act);

“policy framework” means the policies and procedures agreed by the council in relation to the delivery of a function or functions of the council;

“published” means made available for inspection by members of the council;

“Register of Decisions” means a register of decisions maintained by the council of those decisions agreed by the council;

“section of the inhabitants of the district” means any section of the inhabitants that is clearly identifiable by location, interest or other category;

“special resolution” means a resolution of a council as defined in section 148 of the Local Government Act (Northern Ireland) 1972; and

“Standing Orders Regulations” means the Local Government (Standing Orders) Regulations (Northern Ireland) 2015.

INDEX

- 1 Annual and Monthly Meetings
- 2 Time and Place of Meetings
- 3 Convening Special Meetings
- 4 Notice and Summons of Meetings
- 5 Chair to be taken
- 6 Chairperson of Meeting
- 7 Quorum
- 8 Admission to meetings
- 9 Record of attendances at meetings
- 10 Exclusion of the public
- 11 Deputations
- 12 Order of Business
- 13 Minutes of the Council
- 14 Submission of Minutes
- 15 Minutes of Committees
- 16 Motions
- 17 Amendments
- 18 Amendments to Regulatory Decisions
- 19 Rules of Debate
- 20 Voting
- 21 Call-in Process
- 22 Positions of responsibility, etc. – Time Limits
- 23 Appointment of more than one committee
- 24 Rescission of a preceding resolution
- 25 Members conduct
- 26 Disturbance by public
- 27 Suspension and amendment of Standing Orders
- 28 Interpretation of Standing Orders

1. Annual and Monthly Meetings

- (1) In every year that is not a local election year the Council shall hold an Annual Meeting in the month of June.
- (2) In any year which is a local election year, the Annual Meeting shall be held within twenty-one days immediately following the election, at such time as the Council may fix, at the offices of the Council or at such other place as the Department may direct.
- (3) A meeting of the Council for the transaction of general business of the Council shall, subject to any deviation which special circumstances may render desirable, be held on the first Monday of every month, except a summer month as determined by the Council. Other meetings of the Council for the transaction of general business shall be held as the Council considers necessary.
- (4) Meetings of the Council shall not take place on a Public or Bank Holiday, a Saturday or a Sunday. Where the day of a meeting falls on one of these days, the meeting shall instead be held on the next following weekday, or such other day as might be agreed by the Council for that meeting.

2. Time and place of meetings

The Annual Meeting and other meetings of the Council shall be held at 6pm in the Council Chamber, except where otherwise fixed by statute or by special summons.

3. Convening Special Meetings

- (1) The Chairperson of the Council may call a meeting of the Council at any time.
- (2) The Chairperson of the Council must call a meeting of the Council if a requisition for such a meeting, signed by not less than five members of the Council is presented to him/her; and, if he/she refuses to call a meeting on such a requisition or if, without so refusing, he/she does not call such a meeting within the period of seven days from the date of service of the requisition on him/her, not less than five members may, on that refusal or on the expiration of that period, forthwith call a meeting of the Council.

4. Notice and Summons of Meetings

- (1) Five days at least before a meeting of the Council, a committee or sub-committee, notice of the time and place of the intended meeting shall be published at the offices of the Council. Where the meeting is called by members, the notice shall be signed by them and shall specify the business proposed to be transacted thereat.

- (2) A summons to attend the meeting, specifying the business proposed to be transacted thereat and signed by the Clerk shall be served on every member at least three days before the meeting. Failure to serve this summons within the correct time shall not affect the validity of a meeting.
- (3) Except in the case of business required by statute or, where in the opinion of the Chairperson at the meeting the business should be considered by the meeting as a matter of urgency, no business shall be transacted at a meeting of the Council, a committee or sub-committee other than that specified in the summons relating thereto.

5. **Chair to be taken**

At each meeting of the Council, the Chair shall be taken at the time for which the meeting is convened, and business immediately proceeded with.

6. **Chairperson of Meeting**

- (1) At a Meeting of the Council, the Chairperson of the Council, if present, must preside.
- (2) If the Chairperson of the Council is absent from a Meeting of the Council, the Deputy Chairperson of the Council, if present, shall preside.
- (3) If neither the Chairperson nor Deputy Chairperson are present at a Meeting of the Council, a member of the Council chosen by the members who are present must preside.
- (4) If discussion arises on the allocation of the position of Chairperson, the Clerk shall exercise the powers of the Chairperson to assist in the regulation of that discussion.
- (5) Any power of the Chairperson of the Council in relation to the conduct of a meeting may be exercised by the person presiding at the meeting.

7. **Quorum**

- (1) Subject to sub- paragraph (7), no business shall be transacted at a Meeting of the Council unless at least one-quarter of the whole number of members are present.
- (2) No business shall be transacted at a Committee Meeting of the Council unless at least one-quarter of the whole number of members of the specific Committee are present, subject to paragraph (3) and paragraph (4).
- (3) No business shall be transacted at an Audit Committee Meeting unless at least one-third of the elected members of the Committee are present.

- (4) No business shall be transacted at a Planning Committee Meeting unless at least one half of the members of the Committee are present.
- (5) If during a meeting, the person presiding, after the number of members present is counted, declares that a meeting is inquorate and it is unlikely that there will be a quorum present within a reasonable time, he/she shall declare the meeting adjourned.
- (6) Any uncompleted business on the agenda of a meeting adjourned under Standing Order 7(5) above, shall be tabled for discussion at the reconvened meeting. No business, other than the uncompleted business on the agenda of the meeting adjourned, may be discussed at the reconvened meeting.
- (7) Where more than one-quarter of the members become disqualified at the same time then, until the number of members in office is increased to not less than three-quarters of the whole number of members, the quorum of the Council shall be determined by reference to the number of members remaining qualified instead of by reference to the whole number of members.

8. Admission to meetings

- (1) Subject to the provisions of this Standing Order, every Meeting of the Council shall be open to the public, in accordance with section 42 of the 2014 Act.
- (2) The public and press may attend only in those parts of the Council Chamber provided for their accommodation at meetings of the Council, unless specifically excluded in accordance with the provisions of Standing Order 10; or as required by the Council to comply with provisions in relation to Fire Safety and Health & Safety.
- (3) The admission of the public is upon the understanding that they must continue at all times to be seated, and that no expression of opinion or noise of any kind be allowed from them.
- (4) At all times during which a Meeting of the Council is open to the public, the Council must, so far as is practicable, cause to be made available to duly accredited representatives of newspapers, attending for the purpose of reporting proceedings at the meeting, reasonable facilities for taking reports of these proceedings and, on payment by those representatives or their newspapers of any expenses which may be incurred, for transmitting such reports to their newspapers.
- (5) Taking photographs of proceedings or the use of any other means by members of the public to enable persons not present to see or hear any proceedings (whether at that time or later) or making of any oral report of any proceedings as they take place shall be prohibited unless expressly permitted by the Council.

- (6) The use of social media by members of the Council, members of the public or journalists shall be permitted during those proceedings that are open to the public, to the extent that its use does not disrupt proceedings.

9. Record of attendances at meetings

The names of the members present at a Meeting of the Council must be recorded.

10. Exclusion of the public

- (1) The public shall be excluded from a Meeting of the Council whenever it is likely that, during the transaction of an item of business, confidential information would be disclosed to them in breach of an obligation of confidence.
- (2) The Council may by resolution exclude the public from a Meeting of the Council (whether during the whole or part of the proceedings at the meeting) for such special reasons as may be specified in the resolution being reasons arising from the nature of the business to be transacted or of the proceedings at the Meeting.
- (3) The Chairperson may at any time during the proceedings, if he/she thinks it necessary to secure order, direct the removal of any individual or group of individuals from the Council Chamber, or order the Council Chamber to be wholly cleared of members of the public.
- (4) The Council, having excluded the public, shall only consider the matter referred to it by the resolution. If it should be deemed necessary to consider any matter not included in the resolution, the public shall be re-admitted and the Chairperson may ask leave of the Council to take up the consideration of such additional matters as may be deemed desirable.
- (5) The Council, having excluded the public, shall not have the power to adjourn its own sittings or to adjourn a debate to a future sitting. If the business referred to in the resolution is not transacted, the Council may be resumed and a member of the Council may move that the Council again exclude the public on a future day to deal with the business specified in the resolution which was not transacted.
- (6) If the Council, with the public excluded, has transacted part of the business referred to it, without being able to reach a decision on all the business so referred, a member of the Council may, with leave of the Council, report on the progress to that point and ask the Council's permission to sit again.
- (7) When the Council, having transacted business with the public excluded, submits its report to the Council, a motion for its adoption shall then be moved and put. No questions or discussion shall be permitted on the report or the motion for its adoption.

11. Deputations

- (1) Deputations, from any source, shall only be considered to address the Council or Council Committee provided the Clerk has received ten clear days notice of the intended deputation and a statement of its objective. The Chairperson shall have the discretion, in cases of emergency, to reduce this period of notice.
- (2) The deputation shall be confined to the presentation of a statement, or copy of resolutions, and shall not make more than two short addresses by any two members of the deputation. The totality of the address shall not exceed ten minutes for the total presentation.
- (3) Deputations should not be repetitive and, where possible, issues of a similar or linked nature should be contained in one deputation. Where a deputation has made a presentation to the Council, the Council may decline to accept another deputation on the same issue from the same individual or group for a period of six months.

12. Order of Business

Subject to any statutory requirements to the contrary, the order of business at every meeting of the Council shall be as follows:

- a) apologies;
- b) declaration of members' interests;
- c) confirmation of the Minutes of the last stated Meeting and of all adjourned meetings and special meetings held since the last stated Meeting;
- d) deputations;
- e) business required by statute to be transacted at the Meeting;
- f) adoption of the minutes of the proceedings of any committees and consideration of reports, if any, from such committees;
- g) reports of officers, public bodies, agencies etc, if any, may be considered and such orders given thereon as may be deemed necessary;
- h) reports on decisions/recommendations subject to the reconsideration process;
- i) other reports;
- j) correspondence and matters not already dealt with;
- k) sealing of documents;
- l) consideration of motions of which due notice has been given, in the order in which they have been received.

13. Minutes of the Council

13.1 Keeping of; as evidence; etc

- (1) Minutes of the proceedings of a Meeting of the Council, or of a committee or sub-committee, shall be drawn up and entered in a bound book kept for that purpose.

- (2) No discussion shall take place upon the Minutes except upon their accuracy.
- (3) Any minute purporting to be signed as mentioned in sub- paragraph (1) shall be received in evidence without further proof.
- (4) Until the contrary is proved, a Meeting of the Council or of a committee or sub-committee thereof in respect of the proceedings of which a minute has been so made and signed shall be deemed to have been duly convened and held, and all the members present at the meeting shall be deemed to have been duly qualified, and where the proceedings are proceedings of a committee or sub-committee, the committee or sub-committee shall be deemed to have been duly constituted and to have had power to deal with the matters referred to in the minutes.

13.2 Signing of

The Minutes of a Meeting of the Council shall be signed at the next ensuing Meeting of the Council by the Chairperson presiding, if approved by the meeting at which they fall to be signed.

14. **Submission of Minutes**

- (1) In order to give sufficient time for the printing of the minutes and for their perusal by the members of the Council, minutes of meetings of a committee held later than seven clear days before the meeting of the Council shall not be submitted to that meeting for approval. This may be disapplied where a committee considers the matter to be of extreme urgency and records such a decision in its minutes.
- (2) It shall be the duty of a committee, through the Chairperson or his/her representative, when its minutes are submitted for approval, to call the attention of the Council to any resolution or matter of an unusual or special character contained therein.

15. **Minutes of Committees**

- (1) A motion or amendment shall not be made or proposed, or any discussion allowed on the proceedings of committees with reference to any matter within the remit of a committee which does not appear on the minutes submitted to the Meeting of the Council.
- (2) Any member wishing to raise an issue regarding any matters appearing in the minutes submitted to the Council for approval and who states his/her request in writing to the Chairperson of the committee twenty-four hours before the commencement of the Meeting of the Council shall be entitled to a reply when the proceedings of the particular committee are submitted for approval.

- (3) A reply to an issue raised at the Meeting regarding any matter in the minutes, without written notice, shall be at the discretion of the Chairperson of the committee.
- (4) Any matter in the minutes of a committee on which a request for reconsideration, under section 41 of the 2014 Act, has been lodged with the Clerk of the Council shall be identified, and may not be the subject of discussion at that Meeting.

16. **Motions**

- (1) Every motion shall be relevant to some matter:
 - i) in relation to which the Council:
 - a) has power or duties;
 - b) is not prevented from taking action on by other legislation;
 - ii) which directly affects the local government district or its residents; and
 - iii) for which the Council is legally competent.

16.1 **On notice**

- (1) Notice of every motion, other than a motion which under Standing Order 16.2 may be moved without notice, shall be given in writing, signed by the member or members of the Council giving the notice, to the Clerk not later than at least **ten** clear days before the next Meeting of the Council. The motion must be clear in meaning otherwise it shall be rejected until such time as it is resubmitted in clear language, and not later than ten clear days before the meeting.
- (2) A motion shall be rejected if the wording or nature of the motion is considered unlawful or improper.
- (3) All notices shall be dated and numbered as received, and entered in a register to be kept for that purpose. This register shall be open to inspection by every member of the Council.
- (4) Notices of motion shall be entered by the Clerk in their proper place upon the Summons Paper in the order in which they are received.
- (5) If a motion set out in the Summons is not moved either by a member who gave notice, or by some other member on his behalf, it shall, unless postponed by consent of the Council, be treated as withdrawn and shall not be moved without fresh notice.

- (6) If the subject matter of any motion of which notice has been properly given comes within the remit of any committee it shall, upon being moved and seconded, stand referred without discussion to that committee, or to such other committee as the Council may determine, for consideration and report. The Chairperson presiding may, if he/she considers it urgent and necessary to the dispatch of business, allow the motion to be dealt with at the meeting at which it is brought forward.
- (7) If a notice of motion fails to be considered at a Meeting of the Council, such notice of motion will only be included on the Summons Paper for the following meeting if submitted in writing to the Clerk by the member concerned not later than ten clear days, at least, before the Council meeting.
- (8) Any notice of motion which fails to be considered at two consecutive meetings will not be accepted for inclusion on the Summons Paper for a period of six months from the date of the second meeting at which the matter has failed to be considered.

16.2 Without notice

The following motions may be moved without notice:

- a) to appoint a Chairperson of the meeting at which the motion is moved;
- b) in relation to the accuracy of the minutes;
- c) to change the order of business in the agenda;
- d) to refer something to an appropriate body or individual;
- e) to appoint a committee or members thereof arising from an item on the summons for the meeting;
- f) to receive reports or adoption of recommendations of committees or officers and any resolutions flowing from them;
- g) to withdraw a motion;
- h) to amend a motion;
- i) to proceed to the next business;
- j) that the question be now put;
- k) to adjourn a debate;
- l) to adjourn a meeting;
- m) to suspend Standing Orders, in accordance with Standing Order 27.1;
- n) to exclude the public and press in accordance with section 42 of the 2014 Act;
- o) to not hear further a member named under Standing Order 25.3 or to exclude them from the meeting under Standing Order 25.4.

17. Amendments

- (1) When a motion is under debate at any meeting of the Council, an amendment or further motion shall not be received, with the exception of the following:

- a) to amend the proposal; or
- b) that the Council do now adjourn; or
- c) that the debate be adjourned; or
- d) that the question be now put; or
- e) that the Council do proceed to the next business.

17.1 To amend the Proposal

- (1) An amendment must be legitimate and within the scope of the notice convening the meeting. It must not be a direct negative; must be relevant to the proposal which it seeks to amend, and not inconsistent with anything already agreed upon at the same meeting. An amendment must relate solely to the proposal which it seeks to amend, and not be, in effect, a new proposition on a different matter, and must not place a greater responsibility on the meeting than the original proposal.
- (2) An amendment to a motion shall be either:
 - a) to refer a subject of debate to a committee or to an officer for consideration or re-consideration;
 - b) to leave out words;
 - c) to leave out words and insert or add others; or
 - d) to insert or add words

but such omission, insertion or addition of words shall not have the effect of directly negating the motion before the Council.
- (3) When an amendment upon an original proposal has been moved, the question to be put shall be "That the amendment be made". Where any amendment is agreed, the question to be put shall be "That the proposal, as amended, be agreed". Where any amendment is rejected the question of the substantive proposal shall be put.

17.2 That the Council Do Now Adjourn

- (1) Any member of the Council who has not already spoken to the proposal or amendment then under debate may move "that the Council do now adjourn". Such a proposal must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding the proposal, which shall be put to the vote without debate.
- (2) In the event of the proposal for the adjournment being carried, the Chairperson shall (unless stated in the proposal) fix the date for the adjourned meeting for the continuation of the debate on the proposal or amendment under discussion at the time of the adjournment, and for the transaction of the remaining business (if any) on the Agenda for the meeting so adjourned.

- (3) A second proposal “that the Council do now adjourn” shall not be made within half-an-hour unless, in the opinion of the Chairperson, the circumstances are materially altered.

17.3 That the Debate be Adjourned

- (1) Any member of the Council who has not already spoken to the proposal or amendment then under debate may move “that the debate be adjourned”. Such a proposal must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding it.
- (2) Before putting to the meeting a proposal “that the debate be adjourned”, the Chairperson presiding shall call on the mover of the proposal or amendment under discussion to reply on the question of adjournment and, after such reply, which will not prejudice the right of the mover of a proposal to reply on the original question, shall put the proposal for adjournment of the debate to the vote without further debate.
- (3) If the proposal be carried, the Council shall proceed to the next business on the agenda, and the discussion of the adjourned debate shall be resumed at the next meeting of the Council unless a special meeting of the Council shall be called for the purpose.
- (4) On resuming an adjourned debate, the member who moved its adjournment shall be entitled to speak first. A second proposal “that the debate be adjourned” shall not be made within half-an-hour. A member shall not move or second more than one proposal for the adjournment of the same debate.

17.4 That the Question Be Now Put

- (1) Any member who has not already spoken to the proposal or amendment then under debate may move “that the question be now put”. Such a proposal must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding it.
- (2) If the Chairperson is of the opinion that the subject before the Council has been sufficiently discussed, he/she shall put the proposal “that the question be now put” to the vote without debate and if same is carried, the proposal or amendment under discussion shall be put to the Council.
- (3) A second proposal “that the question be now put” shall not be made on the discussion of the same question within half-an-hour.
- (4) A member shall not move or second more than one proposal “that the question be now put” on the discussion of the same question.

17.5 That the Council Do Now Proceed to the Next Business

- (1) Any member of the Council who has not already spoken to any proposal or amendment then under debate may move, "that the Council do proceed to the next business". Such a proposal must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding the proposal which shall be put to the vote without debate.
- (2) If the Chairperson is of the opinion that the subject before the Council has been sufficiently discussed, he/she shall put the proposal "that the Council do proceed to the next business" to the vote without debate and if same is carried the proposal or amendment under discussion shall be put to the Council.
- (3) When a proposal is carried "that the Council do proceed to the next business", the question under discussion shall be considered as dropped.
- (4) A second proposal "that the Council do proceed to the next business" shall not be made on the same question within half-an-hour.
- (5) A member shall not move or second more than one proposal "that the Council do proceed to the next business" on the discussion of the same question.

18. Amendments to Regulatory Decisions

- (1) No amendment may be moved to a minute which is a Regulatory Decision.
- (2) For the purposes of these Standing Orders, a Regulatory Decision is a determination of an application for planning permission or any decision, determination, action, direction, order, approval, refusal, or enforcement action in exercise of powers of the Council as the local planning authority or any application for which the Council is the licensing authority.

19. Rules of Debate

19.1 Motions and amendments to be reduced to writing and seconded

- (1) A motion or amendment shall not be discussed unless it has been proposed and seconded and, unless notice has already been given in accordance with Standing Order 16.1, it shall, if required by the Chairperson presiding, be put into writing and handed to the Chairperson presiding before it is further discussed or put to the meeting.
- (2) A member when seconding a motion or amendment may, if he/she then declares his/her intention to do so, reserve his/her speech until a later period of the debate.

19.2 Alteration of motion

- (1) A member may alter a motion of which he/she has given notice as proposed with the consent of the meeting. The meeting's consent will be signified without discussion.
- (2) A member may alter a motion which he/she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- (3) Only alterations which could be made as an amendment may be made.

19.3 Withdrawal of motion

- (1) A member may withdraw a motion of which he/she has given notice under Standing Order 16.1 at any time after the meeting has commenced provided that he/she has not moved the motion or spoken on it and has the consent of the meeting. The meeting's consent will be signified without discussion.
- (2) A member may withdraw any other motions which he/she has moved with the consent of both the meeting and seconder. The meeting's consent will be signified without discussion.
- (3) No member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

19.4 Mode of address

The established mode of address is through the Chairperson, by raising a hand or by use of electronic device, if available. While a member is speaking, he/she shall not be interrupted by the other members unless they are speaking to a point of order or in personal explanation. A member shall direct his/her speech to the question under discussion or to a personal explanation or to a point of order.

19.5 Precedence in speaking

Whenever two or more members indicate to speak at the same time, the Chairperson shall decide who has precedence.

19.6 Place of Member speaking

A member, when addressing the Chairperson, shall remain in the place allocated to him/her in the Council Chamber.

19.7 Member called to order

If any member, while speaking, be called to order, he/she shall cease speaking and shall not again address the Council until the Chairperson has disposed of the question of order.

19.8 Definition of point of order

A point of order shall relate only to an alleged breach of a Standing Order or statutory provision and the member shall specify the Standing Order or provision and the way in which he/she considers it has been broken.

19.9 Member may raise a point of order

A member may raise a point of order and shall be entitled to be heard immediately.

19.10 Ruling of Chairperson on point of order

The ruling of the Chairperson on a point of order shall not be open to discussion.

19.11 Member to speak to motion

A member who speaks shall direct his/her speech strictly to the Motion under discussion, or an amendment thereof.

19.12 Member shall not speak more than once

A member who has spoken on any motion shall not speak again whilst it is the subject of debate until members who have not previously spoken have done so.

19.13 Duration of speeches

Except with the permission of the Council, a member, in introducing a motion, shall not speak for more than ten minutes and in replying, for more than five minutes.

19.14 Addressing the Council

The Council during its sitting, shall not, unless with the consent of the Council, be addressed by any person who is not a member of the Council.

19.15 Only one motion / amendment may be moved and discussed at a time

- (1) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.
- (2) If an amendment is not carried, other amendments to the original motion may be moved.

- (3) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.

19.16 When a motion is under debate no other motion shall be moved

When a Motion is under debate no other Motion shall be moved except the following:

- a) to amend the motion;
- b) to adjourn the meeting;
- c) to adjourn the debate;
- d) to proceed to the next business;
- e) that the question be now put;
- f) that a member be not further heard;
- g) by the Chairperson under Standing Order 25.4, that a member do leave the meeting.

19.17 Chairperson rising during debate

Whenever the Chairperson rises or otherwise calls the meeting to order during a debate, a member then speaking shall cease and the Council shall be silent.

19.18 Chairperson not to receive motion for direct negative

The Chairperson shall not receive a motion for a direct negative to a question but, on the conclusion of the debate, the question shall be put and resolved in the affirmative or negative.

19.19 Mover's right of reply

The mover of a motion has a right to reply at the close of the debate on the motion, immediately before it is put to the vote. If an amendment is moved, the mover of the original motion shall also have a right of reply at the close of the debate on the amendment and shall not otherwise speak on the amendment. The mover of the amendment shall have no right of reply to the debate on his amendment.

19.20 Councillors attending Committee meetings of which they are not a member

Where a member attends a meeting of a Council Committee of which they are not a member, that member shall not have any right to speak at the meeting unless so permitted by the Chairperson.

20. Voting

20.1 Majority

Subject to any statutory provisions to the contrary, any matter will be decided by a simple majority of those members present and voting.

20.2 Chairperson's casting vote

If there are equal numbers of votes for and against, the Chairperson will have a second or casting vote.

20.3 Qualified majority [MANDATORY]

A qualified majority (not less than 80% of the Members present and voting) shall be required in relation to Council's decision on—

- (a) the adoption of executive arrangements or prescribed arrangements as the Council's form of governance, as provided for in section 19 of the 2014 Act;
- (b) the adoption of paragraph 3(2) of Schedule 1 to the 2014 Act as the method for filling positions of responsibility;
- (c) the adoption of Part 2 of Schedule 1 to the 2014 Act as the method for filling positions of responsibility;
- (d) the adoption of paragraph 3(3) of Schedule 2 to the 2014 Act as the method for appointing councillors to committees;
- (e) a call-in made in accordance with section 41(1)(b) of the 2014 Act; and
- (f) the suspension of standing orders, other than Standing Orders 20.3, 21, 22 and 23, which cannot be suspended.

Any vote on a matter where a qualified majority is required, shall be by way of a recorded vote where the names of the Members voting for and against the question shall be taken down in writing and recorded in the minutes of the meeting.

20.4 Show of hands

Unless a ballot or recorded vote is demanded under Standing Order 20.5, the Chairperson will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

20.5 Recorded vote

If, before a vote is called, any member present at the meeting demands it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes. A demand for a recorded vote will override a demand for a ballot.

20.6 Voting at Planning Committee

Unless a member has been present at a Planning Committee for an entire item, including Officer/s' introduction and update they must not take part in the debate or

vote on that item. However the Chairperson of the Planning Committee can use their discretion in exceptional circumstances.

21 'Call-in' Process [MANDATORY]

21.1 Decisions subject to call-in

- (1) The following decisions may be subject to call-in in such manner as is specified in these standing orders—
 - (a) a decision of the Council;
 - (b) a key decision taken by an Officer of the Council
 - (c) a decision taken by a committee under delegated authority in accordance with section 7 of the 2014 Act; and
 - (d) a decision taken by a Committee to make a recommendation for ratification by the Council.
- (2) The following decisions shall not be subject to call-in—
 - (a) a decision on a regulatory or quasi-judicial function which is subject to a separate appeal mechanism;
 - (b) a decision where an unreasonable delay could be prejudicial to the Council's or the public's interests;
 - (c) a decision taken by an Officer which is not a key decision;
 - (d) a decision which is required to be taken by a special resolution.
- (3) No decision may be subject to call-in more than once for each of the grounds specified in section 41(1) of the 2014 Act.

21.2 Call-in procedure

- (1) A call-in must be submitted in writing to the Clerk by 10am on the fifth working day following:
 - (a) in the case of a decision of the Council, the date of the Council meeting at which the decision was taken; and
 - (b) in the case of a decision of a committee, the date on which the decision to which the call-in relates was published.
- (2) If a call-in is received after the relevant period specified in paragraph (1), it must be deemed inadmissible.
- (3) A call-in shall—
 - (a) specify the reasons why a decision should be reconsidered; and
 - (b) subject to paragraph (6), be deemed to be inadmissible if the reasons are not specified.

- (4) In the case of a call-in submitted under section 41(1)(b) of the 2014 Act, members must in the reasons specified under paragraph (3)(a) specify—
 - (a) the section of the inhabitants of the district that would be affected by the decision; and
 - (b) the nature and extent of the disproportionate adverse impact.
- (5) Within one working day of receipt of a call-in, the Clerk must confirm that—
 - (a) it has the support of 15 per cent of the members of the Council; and
 - (b) the reasons for the call-in have been specified.
- (6) Where the reasons have not been specified on the requisition, the Clerk must notify the members making the requisition that it must be considered inadmissible if reasons are not specified in writing within the specified period.
- (7) Within two working days of receipt of an admissible call-in submitted under section 41(1)(b) of the 2014 Act, the Clerk must seek the opinion of a practising solicitor or barrister in accordance with section 41(2) of the 2014 Act.
- (8) Where the legal opinion obtained in accordance with section 41(2) of the 2014 Act confirms that the call-in has merit, the Clerk must—
 - (a) furnish the opinion to members; and
 - (b) include the decision on the agenda for the next available meeting of the council, at which it will be taken by a qualified majority.
- (9) Where the legal opinion obtained in accordance with section 41(2) of the 2014 Act indicates that the call-in does not have merit, the Clerk must—
 - (a) furnish the opinion to members; and
 - (b) make arrangements for the decision to be implemented or tabled for ratification by the council, as appropriate.

21.3 The call-in process: committee arrangements

- (1) For the purposes of reconsideration of a decision pursuant to a call-in, the minutes of a committee which record a decision—
 - (a) taken under delegated authority; or
 - (b) for referral for ratification by the Councilmust be published within five working days of the conclusion of the meeting. The date on which the minutes were published must be regarded as the relevant date for the purposes of a call-in.
- (2) If a call-in is not received within the period specified in Standing Order 21.2 paragraph (1)—
 - (a) a decision to which paragraph (1)(a) applies must be implemented; or
 - (b) a decision to which paragraph (1)(b) applies must be tabled for ratification by the Council.

- (3) The tabling for ratification of a decision to which paragraph (1)(b) applies, or the implementation of a decision to which paragraph (1)(a) applies, must be postponed until the decision has been reconsidered. The decision maker may rescind the decision at any time prior to the decision being reconsidered.
- (4) If a call-in is made in accordance with Standing Order 21.2 paragraph (3) and section 41(1)(a) of the 2014 Act, the Council must appoint an ad hoc committee of the Council, the membership of which will be—
the Chairpersons and Deputy Chairpersons of all Council Committees, being:
 - (i) Enterprise, Regeneration and Tourism Committee
 - (ii) Active and Healthy Communities Committee
 - (iii) Regulatory and Technical Services Committee
 - (iv) Strategic Planning and Resources Committee
 - (v) Planning Committeeto consider the process adopted by the decision-making Committee.
- (5) The Chairperson and Deputy Chairperson of the committee which was responsible for the decision which is the subject of the call-in must not have voting rights at a meeting of the Committee appointed in accordance with paragraph (4).
- (6) The members of the ad hoc committee who are present shall choose a member to preside at the meeting.
- (7) The members who submitted the call-in, or a member on their behalf, must be invited to attend the meeting at which the decision subject to the call-in is considered and may, upon the request of the Chairperson, address the meeting, but must not have voting rights, unless they are voting members of the ad hoc committee.
- (8) A Committee appointed in accordance with paragraph (4) may—
 - (a) refer the decision back to the decision maker;
 - (b) in the case of a decision taken under delegated authority, support the decision; or
 - (c) in the case of a decision for ratification by the Council, refer the decision to the Council.
- (9) Where a decision has been supported in accordance with paragraph (8), that decision must—
 - (a) be approved;
 - (b) be inserted in the Register of Decisions; and
 - (c) become operative from the date of the meeting at which the committee appointed in accordance with paragraph (4) confirmed support for the decision.

21.4 The call-in process: Council decisions

- (1) If a call-in is not received within the period specified in Standing Order 21.2 paragraph (1) in respect of a decision, that decision may be implemented after that period expires.
- (2) The implementation of a decision must be postponed until the decision has been reconsidered.
- (3) If a call-in is made in accordance with Standing Order 21.2 paragraph (3) and section 41(1)(a) of the 2014 Act, the Clerk must place the call-in on the agenda for the next Meeting of the Council.
- (4) If a call-in is made in accordance with Standing Order 21.2 paragraph (4) and section 41(1)(b) of the 2014 Act, the Clerk must proceed in line with the procedures set out in Standing Orders 21.2 (4 – 9).

22 Positions of responsibility, etc. – Time Limits [mandatory]

- (1) Subject to paragraph (2), in relation to positions of responsibility selected in accordance with paragraphs 2(1) and 2(2) or paragraph 4(1) or paragraphs 6(1) and 6(2) of Schedule 1 to the 2014 Act, the period specified for—
 - (a) the nominating officer to select a position of responsibility and the term for which it shall be held; and
 - (b) the person nominated to accept the selected position is 15 minutes.
- (2) An extension to the period specified in paragraph (1) may be granted subject to the approval of the Council. Such an extension may be requested by—
 - (a) the nominating officer;
 - (b) the person nominated to hold the selected position; or
 - (c) another member.

23 Appointment of more than one Committee [MANDATORY]

- (1) Where the Council appoints more than one committee at the same meeting in accordance with paragraph 5 of Schedule 2 to the 2014 Act, for the purposes of determining the number of places that must be allocated across the parties and independent members of the Council, it must agree—
 - (a) the number of committees to be appointed; and
 - (b) the number of councillors that shall constitute the membership of each committee.
- (2) The total number of places to which a nominating officer of a party may nominate members who stood in the name of that party when elected must be

calculated in accordance with paragraphs 2 to 4 of Schedule 2 to the 2014 Act and any resolution of the Council made thereunder.

- (3) A nominating officer's function under paragraph 2(1)(b) of Schedule 2 to the 2014 Act must be exercised in such manner as to ensure that—
 - (a) all the members of a committee are not nominated by the same nominating officer;
 - (b) a nominating officer of a party may nominate members who stood in the name of that party to fill the majority of places on a committee, if the majority of members stood in the name of that party; and
 - (c) subject to (a) and (b), the number of members which each nominating officer of a party may nominate, in so far as far as is practicable, bears the same proportion to the number of places on that committee as is borne by the number of members on the Council who stood in the name of that party.
- (4) Nominations made in accordance with paragraph (3) must take into account any positions of responsibility on a committee held by a member who stood in the name of a party.

24 Rescission of a preceding resolution

- (1) No motion to rescind any resolution passed within the preceding six months, and no motion or amendment to the same effect as one which has been rejected within the preceding six months, shall be proposed by a member unless the notice thereof given in pursuance of Standing Order 16.1 bears the names of at least 15% of the members of the Council.
- (2) When any such motion or amendment has been disposed of by the Council, it shall not be open to any member to propose a similar motion within a further period of six months.
- (3) This Standing Order shall not apply to motions moved in pursuance of a recommendation of a committee or a call-in.

25 Members conduct

25.1 Requesting to speak

When a member speaks at the Council he/she must address the meeting through the Chairperson. If more than one member requests to speak, the Chairperson will ask one to speak and the others must remain silent.

25.2 Chairperson addressing the meeting

When the Chairperson addresses the meeting, any member speaking at the time must stop. The meeting must be silent.

25.3 Member not to be heard further

If at a meeting any member of the Council, misconducts himself/herself by persistently disregarding the ruling of the chair, or by behaving irregularly, improperly or offensively or by willfully obstructing the business of the Council, the Chairperson or any other member may move "that the member named be not further heard". The motion, if seconded, shall be put and determined without discussion.

25.4 Member to leave the meeting

If the member named continues to behave improperly after such a motion is carried, the Chairperson or any other member may move that either the member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

25.5 General disturbance

When the Chairperson is of the opinion that the due and orderly dispatch of business is impossible, he/she in addition to any other powers vested in him/her may, without question put, adjourn the meeting of the Council for such period as he/she in his/her discretion shall consider expedient.

26 Disturbance by public

26.1 Removal of member of the public

If a member of the public interrupts proceedings, the Chairperson will warn the person concerned. If they continue to interrupt, the Chairperson will order their removal from the meeting room.

26.2 Clearance of part of meeting room

If there is a general disturbance in any part of the meeting room open to the public, the Chairperson may call for that part to be cleared.

27 Suspension and amendment of Standing Orders

27.1 Suspension

A member may move a motion for the suspension of one or more of these Council Standing Orders excluding Standing Orders 20.3, 21, 22 and 23 which cannot be

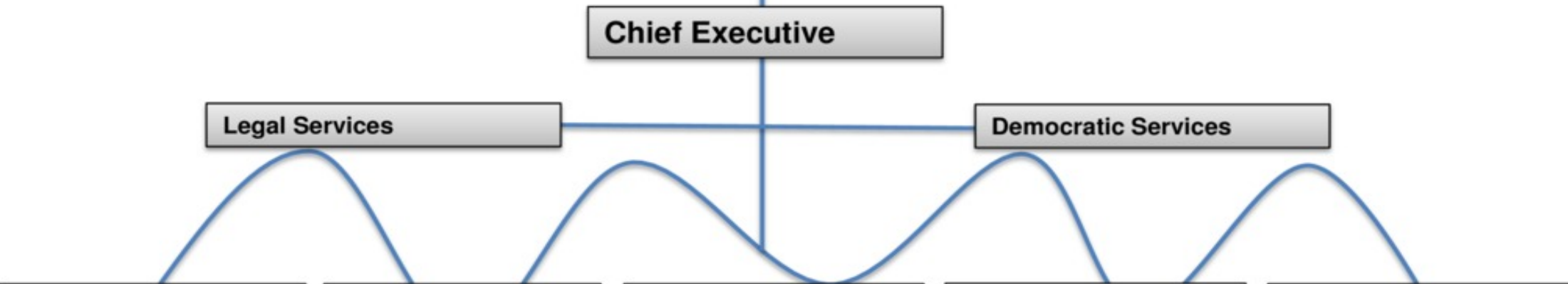
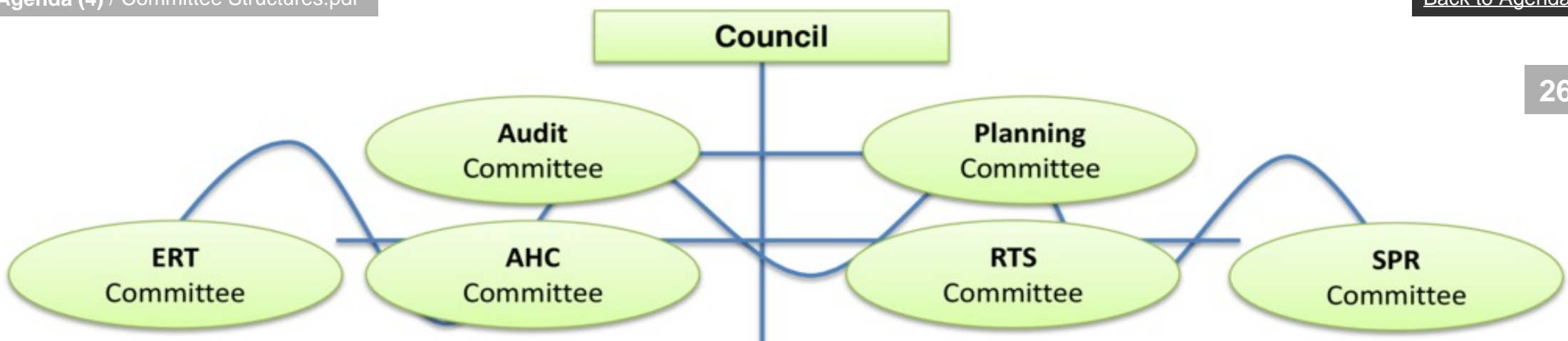
suspended. A motion under this Standing Order shall require the support of a qualified majority within the meaning of section 40 of the 2014 Act. Suspension can only be for the duration of the meeting. The Minutes of the Meeting must record the reason for the suspension. Mandatory standing orders, specified in the Standing Orders Regulations, may not be suspended by the Council.

27.2 Amendment

Any motion to, add to, vary or revoke these Standing Orders will, when proposed and seconded, stand adjourned without discussion to the next ordinary Meeting of the Council. The mandatory standing orders may not be added to, varied or revoked by the Council.

28 Interpretation of Standing Orders

The ruling of the Chairperson as to the interpretation, construction or application of any of these Standing Orders or as to any proceedings of the Council, shall not be challenged at any Meeting of the Council.



ERT Director
Enterprise,
Regeneration and
Tourism

- Tourism
- Culture & Arts
- Museum
- Events
- LED
- Investment FDI
- Urban & Rural Regeneration
- European Funding
- Town & City Centre Management

AHC Director
Active and Healthy
Communities

- Health & Wellbeing
- Environmental Health
- Biodiversity
- Leisure & Recreation
- Parks & Open Spaces
- Community Engagement
- Social Inclusion
- Good Relations
- PCSP

RTS Director
Regulatory and
Technical Services

- Safety in Built Environ
- Planning
- Building Control
- Waste Management
- Grounds Maintenance
- Facilities Management
- Fleet Management

CS Director
Corporate
Services

- Finance
- Human Resources
- ICT
- Audit
- Administration
- FOI
- Registration
- Safeguarding
- Grants' Administration
- Emergency Planning
- Health & Safety

SPP Director
Strategic Planning and
Performance

- Corporate Plan
- Development Plan
- Community Plan
- Corporate Marketing
- Corporate Projects
- Consultation
- Transformation, Innovation & Performance
- Corporate Policy

Newry, Mourne & Down District Council

Scheme of Delegation for Officers

CONTENTS

Section		Page Nos
1.	Purpose & Interpretation	3-5
1.1	Legislative Provisions	3
1.2	Purpose of the Scheme of Delegation	3
1.3	Interpreting the Scheme of Delegation	4-5
2	General Delegated Functions	6-10
2.1	General Management	6-7
2.2	Finance	7
2.3	In Cases of Emergency / Urgency	7-8
2.4	Management of Land & Facilities	8-9
2.5	Human Resources	9-10
2.6	Purchasing	10
3	Specific Delegated Functions	11-19
3.1	Chief Executive	11-12
3.2	Director of Strategic Planning & Performance (Deputy Chief Executive)	13
3.3	Director of Enterprise, Regeneration & Tourism	14
3.4	Director of Active & Healthy Communities	15-16
3.5	Director of Regulatory & Technical Services	17-18
3.6	Director of Corporate Services	19
	Appendix I – Section 7, The Local Government (NI) Act (2014)	20
	Appendix II - Specified Officer Positions	21
	Appendix III - Arrangements for Monitoring and Review	22
	Appendix IV –Provisions for Enterprise, Regeneration & Tourism	23
	Appendix V – Provisions for Active & Healthy Communities	24-26
	Appendix VI –Provisions for Regulatory & Technical Services	27-30

SECTION 1: Purpose & Interpretation

Legislative Provisions

- 1.1 The Scheme is made in accordance with Section 7 (arrangements for discharge of functions of Council) of the Local Government (Northern Ireland) Act 2014 as provided at **Appendix I**.
- 1.2 Part 8, paragraph 49(2) of The Local Government (Northern Ireland) Act 2014 requires local authorities to maintain a list:
 - a) specifying those **powers** of the Council which are **exercisable by officers** of the Council; in pursuance of arrangements made under this Act or any other statutory provisions for their discharge by those Officers; and
 - b) stating the **title of the officer** by whom each of the powers so specified is so exercisable. (Except in cases where the arrangements for the discharge by Officers are for a specified period not exceeding six months.)
- 1.3 This Scheme **does not** consider the separate Scheme of Delegation that must be produced by a Council detailing the planning application decisions that can be delegated to officers, as provided for by Section 31(1) of The Planning (Northern Ireland) Act 2011.

Purpose of the Scheme of Delegation

- 1.4 The purpose of this Scheme of Delegation ("the Scheme") is to set out the decisions and authorisations which officers can make or grant without any further reference to Council or Committees, subject to Committees being regularly advised on the exercise of these delegated powers, as outlined at **Appendix III**.
- 1.5 The Scheme is designed to aid the integrated management of the organisation, the effective deployment of resources as well as the efficient delivery of services, by enabling Elected Members to concentrate on strategic matters relating to policy development, implementation and scrutiny, thereby reducing the administrative burden on the democratic process. Consequently, the Scheme enables officers to address matters of an operational nature.

Interpreting the Scheme of Delegation

- 1.6 In this Scheme, the term “Director” includes those titled officers as specified at **Appendix II**.
- 1.7 The Scheme **does not** delegate to officers any matter reserved to Council and which by law may not be delegated, as set out in Section 7(3) The Local Government (Northern Ireland) Act 2014.
- 1.8 An officer shall only exercise a delegated power under this Scheme subject to, and in accordance with:
- the agreed plans (including but not limited to Corporate and Department Plans), policies, programmes and objectives approved by the Council;
 - the Standing Orders, Financial Regulations, Equality Scheme, Codes of Conduct and any other relevant governance policies contained within the Council’s Constitution; and
 - the agreed budget for his / her Department.
- 1.9 Authority to take decisions and other actions pursuant to the Scheme shall be exercised in the name of the delegated officer but not necessarily personally by him / her. In the absence of the officer to whom a function is delegated, the function may be exercised by the officer(s) responsible for the performance of the duties of that officer.
- 1.10 Delegation to deal with any matter shall not derogate from the power of the Council or that of relevant Committees, to call for a report on any decision or action taken under the Scheme.
- 1.11 An officer shall, notwithstanding delegated powers, refer a matter to the relevant Committee in any case involving controversy or unusual circumstances.
- 1.12 In any case where the exercise of a delegated power involves considerations within the remit of another officer, the officer exercising the power shall consult with that other officer prior to taking any final decision.
- 1.13 Any reference in the Scheme to a statutory enactment shall be deemed to include any modification or re-enactment or any regulations thereof.
- 1.14 Authority to exercise any delegated power shall include authority to take all reasonable necessary actions of an incidental or consequential nature.

- 1.15 Where the exercise of a delegated power requires consultation with the Chairperson of a Committee, the Deputy Chairperson may act in the absence or non-availability of the Chairperson.
- 1.16 Decisions made by officers under delegated authority are not subject to reconsideration under “Call-in” Part 7, paragraph 41 which applies only to decisions made by the Council or a Committee of Council.

PART 2: General Delegated Functions

All officers, as specified at **Appendix II**, have delegated authority to exercise the following general functions:

2.1 General Management

All of the delegations listed below shall be exercised in accordance with relevant Council policies.

- 2.1.1 Taking all necessary action for the effective day-to-day management, administration and supervision of the Department and its services and facilities for which the officer is responsible.
- 2.1.2 Implementing those strategies, programmes, actions, events and initiatives which the officer is responsible for, as set out in agreed Council plans (refer to 1.8) subject to regular reporting to the relevant Committee and to the expenditure being within agreed budgets.
- 2.1.3 Engaging and procuring consultancy, research and other such assistance, up to a maximum value of £2,000, in the discharge of the Department's services and facilities.
- 2.1.4 Responding to consultation documents on matters which are routine or which do not have significant policy or financial implications for the Council.
- 2.1.5 Making initial applications for grant funding from external bodies (provided there is no financial commitment for the Council) where time constraints prohibit Council approval and any decision to proceed remains subject to Committee approval.
- 2.1.6 Developing and implementing specific promotions, schemes and events (including the provision of small scale prizes up to a maximum of £100).
- 2.1.7 In consultation with the Council's Legal Adviser(s), initiating legal proceedings in regard to the recovery of debt(s), the enforcement of contractual rights, the service of notices, the prosecution of statutory offences and the instituting and defending of claims and proceedings affecting the officer's Department.
- 2.1.8 Entering into pre-contract discussions with external agencies and other organisations concerning the provision of services and facilities.

- 2.1.9 In consultation with the Chief Executive, seeking legal advice on behalf of the Council.

2.2 Finance

All of the delegations listed below shall be exercised in accordance with relevant Council policies, in particular the requirements of the Financial Regulations.

- 2.2.1 In consultation with the Senior Finance Officer¹, writing off any loss of money (including bad debts) and loss of stores and obsolete equipment and materials in accordance with the limits outlined in the Financial Regulations.
- 2.2.2 In consultation with the Senior Finance Officer, authorising the transfer of a budget from one budget heading to another within the agreed budgets for the Department and in accordance with the limits outlined in the Financial Regulations.
- 2.2.3 Authorising appropriate payments to employees in the Department in respect of telephone, travel and subsistence allowances, standby and call out allowances, overtime, additional duties, costs of study courses and removal and relocation expenses, in accordance with Council policies.
- 2.2.4 Paying the cost of an employee's professional fees where it is legally necessary for the employee to perform their duties.

2.3 In Cases of Emergency / Urgency

The exercise of the following delegated powers concerns cases of emergency or urgency (exceptional circumstances) to ensure service and business continuity in the discharge of the Council's services and facilities.

- 2.3.1 In consultation with the Chief Executive, taking such measures, including incurring expenditure, as may be required in emergency situations or cases of urgency, subject to advising the appropriate Chairperson and reporting to the appropriate Committee as soon as possible.
- 2.3.2 Where such measures involve the Council incurring expenditure of an amount that is likely to result in expenditure exceeding the approved budget, then the officer should advise the Senior Finance Officer and submit a report to the relevant Committee as soon as possible. The Senior Finance Officer should inform the Strategic Planning and Performance Committee accordingly as soon as possible.

¹ Defined as the Senior Professionally Qualified Accountant within the Council

- 2.3.3 Approving the allocation or awarding of financial assistance (small grants) in line with the award criteria of the Financial Assistance Policy (up to a maximum level of £300), subject to regular reporting to the relevant Committee on the exercise of this delegated power.

2.4 Management of Land & Facilities

The exercise of the following delegated powers concerns the management of the Council's land and facilities (e.g. leisure centres, community centres, parks and open spaces etc)

The use of these delegated powers is subject to paragraph 1.7 that there is no disposal, holding or acquisition of land involved.

All the delegations listed below shall be exercised in accordance with relevant Council policies.

- 2.4.1 Permitting the use of such facilities by Council Departments and services and outside bodies in accordance with any relevant Council policies.
- 2.4.2 Varying the opening times of, or restricting access to, or closing such facilities in special circumstances (for example to permit maintenance or other operational reasons) in consultation with the Chairperson of the relevant Committee.
- 2.4.3 Varying the fees, charges and concessions of the services linked to such facilities (e.g. cost of an adult swim).
- 2.4.4 Approving the holding of non-controversial events, conferences and promotions in such facilities and applying any necessary hire and/or admission charges or discounted pricing.
- 2.4.5 Approving, after consultation with the Chairperson of the relevant Standing Committee, requests received in respect of potentially controversial events and activities in such facilities, where there is not sufficient time for Council approval to be obtained, subject to a report being taken to Committee as soon as possible thereafter
- 2.4.6 Granting temporary licences for the use of Council facilities for the purpose of events/car parking or other temporary uses on appropriate commercial terms, subject to consultation with the Head of Estates and Project Management and the Council's Legal Adviser(s).

- 2.4.7 Requiring unauthorized persons to leave Council property under the Public Order (NI) 1987 Articles 7 [Part II], 18, 19, 20, 21, 22 and 23 [Part IV].

2.5 Human Resources

All the delegations listed below shall be exercised in accordance with relevant Council policies and in consultation with the Head of Human Resources.

Employee changes that result in an increase in the approved employee establishment and budget for a Department and / or which effect any changes to posts at Tier Three (3) (Assistant Director / Head of Service level) and above shall be subject to approval by the Strategic Planning and Performance Committee.

- 2.5.1 Undertaking service reviews, including the deletion of permanent and temporary posts and the creation of new permanent and temporary posts, provided that there is no increase in the Department's approved employee establishment and budget.
- 2.5.2 Approving the use of agency resources.
- 2.5.3 Appointing successful applicants to posts as recommended by the selection panel.
- 2.5.4 Agreeing to an overlap period for the appointment of employees provided that this can be accommodated within budget.
- 2.5.5 Determining the grading of any post below the level of Tier Four (4) positions.
- 2.5.6 Implementation of nationally or locally agreed changes to Terms and Conditions for employment.
- 2.5.7 Approving the payment of honoraria to an employee and subject to paragraph 2.5.5.
- 2.5.8 Granting paid special leave to an employee in exceptional circumstances, and approving other paid or unpaid leave of absence.
- 2.5.9 Authorising any employees to attend training and development events, technical visits and courses, including conferences, exhibitions, workshops and seminars and meetings of appropriate professional associations in Northern Ireland, the Republic of Ireland and Great Britain, provided there is no increase in the approved budget.

2.6 Purchasing

The exercise of delegated powers in respect of purchasing is considered by the Council's agreed Purchasing Policy.

PART 3: Specific Delegated Functions

The following specific functions are delegated to the specified officers below:

3.1 Chief Executive

All the delegations listed below shall be exercised in accordance with relevant Council policies.

Furthermore, the Chief Executive shall also have authority to authorise any officer to act on behalf of any other officer in order to discharge the delegated powers as authorised in this Scheme.

The exercise of the following functions is delegated to the Chief Executive.

- 3.1.1 Discharging all functions and responsibilities in terms of all relevant legislation and regulations, and within policy and agreed budgets, for the following functions:
- Strategic Planning and Performance
 - Enterprise, Regeneration & Tourism
 - Active & Healthy Communities
 - Regulatory & Technical Services
 - Corporate Services
- 3.1.2 Acting in the place of any officer having delegated authority in accordance with this Scheme.
- 3.1.3 Authorised as the Deputy Returning Officer for the Newry, Mourne & Down District Council area to discharge all functions and responsibilities granted to the postholder by The Electoral Office for Northern Ireland, for the purposes of the smooth and efficient operation of Local Council Elections.
- 3.1.4 Making arrangements for the admission of the public and press to meetings of Council in accordance with The Local Government (Northern Ireland) Act 2014.
- 3.1.5 Settling, in consultation with the Council Chairperson and Head of Democratic Services, any points requiring interpretation or clarification in the practical application of this Scheme.
- 3.1.6 In consultation with the relevant statutory agencies agreeing to involve outside agencies in matters of fraud.
- 3.1.7 Signing and executing legal documents on behalf of the Council.

- 3.1.8 Authorising the obtaining of communications data, by way of applications under the Regulation of Investigatory Powers Act 2000 which have been assessed and verified by the Single Point of Contact (SPoC).
- 3.1.9 Approving, in consultation with the Council Chairperson, the attendance of the Chairperson and Deputy Chairperson (or nominees) of any of the Standing Committees at any Conference or Seminar in Northern Ireland, the Republic of Ireland and Great Britain where there is insufficient time for Council approval to be obtained.
- 3.1.10 Invoking and making whatever arrangements are necessary for action under the Council's Emergency Plan.
- 3.1.11 Where appropriate defending all claims made, or legal proceedings instituted against the Council. The power to compromise or settle same as appears necessary or desirable in the best interests of the Council, shall be taken by the Chief Executive and reported to Council including where claims or proceedings are of an unusual or controversial nature.
- 3.1.12 In consultation with the Council Chairperson have delegated authority to cover the summer recess.

3.2 Director of Strategic Planning & Performance (Deputy Chief Executive)

All the delegations listed below shall be exercised in accordance with relevant Council policies.

The exercise of the following functions is delegated to the Director of Strategic Planning & Performance (Deputy Chief Executive).

- 3.2.1 The Director of Strategic Planning & Performance is designated as the Deputy Chief Executive and in the absence of the Chief Executive is authorised to discharge all functions and responsibilities of that position (as listed at 3.1).
- 3.2.2 The Director of Strategic Planning & Performance is authorised to discharge all functions and responsibilities in terms of all relevant legislation and regulations, and within policy and agreed budgets, for the following functions:
- Corporate Planning & Policy
 - Community Planning
 - Transformation, Innovation & Performance

3.3 Director of Enterprise, Regeneration & Tourism

All the delegations listed below shall be exercised in accordance with relevant Council policies.

The exercise of the following functions is delegated to the Director of Enterprise, Regeneration and Tourism.

- 3.3.1 The Director of Enterprise, Regeneration & Tourism is authorised to discharge all functions and responsibilities in terms of all relevant legislation and regulations, and within policy and agreed budgets, for the following functions:
- Enterprise, Employment & Regeneration
 - Tourism, Culture & Events
- 3.3.2 Discharge of functions relating to the legislative provisions outlined at **Appendix IV**.

3.4 Director of Active & Healthy Communities

All the delegations listed below shall be exercised in accordance with relevant Council policies.

The exercise of the following functions is delegated to the Director of Active & Healthy Communities.

- 3.4.1 The Director of Active & Healthy Communities is authorised to discharge all functions and responsibilities in terms of all relevant legislation and regulations, and within policy and agreed budgets, for the following functions:
- Health & Wellbeing (including Environmental Health)
 - Leisure & Sport
 - Community Engagement
- 3.4.2 Discharge of functions relating to the legislative provisions outlined at **Appendix V**.
- 3.4.3 The functions listed at (a) to (h) below concerning the application of the legislation outlined at Appendix VI for which the Active & Healthy Communities Committee has responsibility:
- a) Enforcing all regulations, orders and bye-laws;
 - b) Issuing and serving certificates and notices;
 - c) Granting, withdrawing, suspending and refusing authorisations, approvals and consents, and rejecting plans;
 - d) Exercising all powers in relation to the issue (but not refusal) of permits and licences;
 - e) Effecting (but not cancelling or refusing to effect) registrations and maintaining statutory registers;
 - f) In consultation with the Council's Legal Adviser(s), instituting legal proceedings and making legal applications on behalf of the Council;
 - g) Authorising persons and officers pursuant to relevant legislation for the purpose of exercising statutory powers;
 - h) Executing works where the responsible party is in default of compliance with any notice or Order and in an emergency where empowered by statute and recovering costs; and
- 3.4.5 Authorising under Article 22 (2)(c)(i) of the Health and Safety at Work (Northern Ireland) Order 1978 on behalf of the Council, suitable persons to accompany inspectors who have been appointed by the Council under Article 21 of the said Order.

- 3.4.6 Agreeing any transfer or assignment of enforcement responsibility under Regulation 7 and Regulation 8(1) of the Health and Safety (Enforcing Authority) Regulations (Northern Ireland) 1999.
- 3.4.7 Authorising persons, other than officers of the Council, for the purposes of Section 10(2) of the Noise Act 1996 (as amended)
- 3.4.8 Enforcing all bye-laws made for the protection of the Council's parks and other amenity facilities.
- 3.4.9 Protecting public rights of way and generally enforcing the Access to the Countryside (Northern Ireland) Order 1983.
- 3.4.10 Enforcing the provisions of the High Hedges Act (NI) 2011 and carrying out a series of functions associated with performing the Council's statutory role under the High Hedges legislation. These are:
- Enforcing all Regulations or Acts made and remedial notices under the High Hedges Act (NI) 2011
 - Issuing and serving remedial notices
 - Exercising all powers in relation to the High Hedges Act (NI) 2011
 - In conjunction with the Council's Legal Advisor(s), instituting legal proceedings and making legal applications on behalf of the Council
 - Authorising individual officers for the purpose of exercising any statutory power under the High Hedges Act (NI) 2011.

3.5 Director of Regulatory & Technical Services

All the delegations listed below shall be exercised in accordance with relevant Council policies.

The exercise of the following functions is delegated to the Director of Regulatory & Technical Services.

3.5.1 The Director of Regulatory & Technical Services is authorised to discharge all functions and responsibilities in terms of all relevant legislation and regulations, and within policy and agreed budgets, for the following functions:

- Waste Management
- Building Control & Regulation (including Licensing)
- Planning²
- Facilities Management & Maintenance

3.5.2 Discharge of functions relating to the legislative provisions outlined at **Appendix VI**.

3.5.3 The functions listed at (a) to (p) below concerning the application of the legislation outlined at **Appendix VI** for which the Regulatory & Technical Services Committee has responsibility:

- a) Enforcing all regulations, orders and bye-laws;
- b) Issuing and serving certificates and notices;
- c) Granting, withdrawing, suspending and refusing authorisations, approvals and consents, and rejecting plans;
- d) Exercising all powers in relation to the issue (but not refusal) of permits and licences;
- e) Deeming as refused, any Entertainments License application where all of the necessary supporting documentation, including a Fire Risk Assessment, has not been provided to the Council within six weeks from the date of receipt of that application or if the application is otherwise incomplete, inaccurate or falsified;
- f) Effecting (but not cancelling or refusing to effect) registrations and maintaining statutory registers;
- g) In consultation with the Council's Legal Adviser(s), instituting legal proceedings and making legal applications on behalf of the Council;
- h) Authorising persons and officers pursuant to relevant legislation for the purpose of exercising statutory powers;

² A separate Scheme of Delegation exists for delegated matters relating to Planning

- i) Dispensing with or relaxing or refusing to dispense with or relax, Building Regulations and inviting representations thereon;
- j) Executing works where the responsible party is in default of compliance with any notice or Order and in an emergency where empowered by statute and recovering costs;
- k) Making Orders for the charges to be paid in connection with the use of an off-street parking place;
- l) Appointing and authorising such persons as may be necessary for the superintendence of parking spaces;
- m) Making Orders for the use of any parking place and the conditions on which it may be used;
- n) Making Orders restricting the use of a specified parking place;
- o) Making Orders to authorise the use of a part of an off-street parking place for the collection of recyclable material, for advertising or for displaying information to the public; and
- p) Making Orders for the suspension of the use of a parking place or any part of it for specified occasions or circumstances

3.5.4 In consultation with the Council's Legal Adviser(s), lodging objections in relation to notices of applications received under the following legislation:

- Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 as amended by the Betting and Gaming (NI) Order 2004
- Licensing (Northern Ireland) Order 1996
- Registration of Clubs (Northern Ireland) 1996.

3.4.6 Detaining a dog or causing a dog to be disposed of, sold or destroyed in accordance with Articles 23 or 48 of the Dogs (Northern Ireland) Order 1983.

3.5.6 Issuing Property Certificates.

3.5.7 Approving exceptions to the imposition of charges for the collection of commercial waste where such waste appears to be arising from premises occupied for charitable purposes and the temporary nature of occupation prevents the granting of relief from the payment of Rates under Article 41(2)(C) of the Rates (Northern Ireland) Order 1977.

3.5.8 Exercising powers under Article 18 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 in relation to the removal or obliteration of graffiti, placards or posters.

3.5.9 Signing on behalf of the Council, licence agreements for the use of lands to be utilised for the installation of mini-bring recycling facilities.

3.5.10 Arranging burials and cremations under Section 25 of the Welfare Services Act (Northern Ireland) 1971.

3.5.11 Enforcing the Burial Grounds Regulations.

3.5.12 Maintaining a Register of Burials.

3.5.13 Allocating grave spaces and issuing grants of right of burial.

3.6 Director of Corporate Services

All the delegations listed below shall be exercised in accordance with relevant Council policies.

The exercise of the following functions is delegated to the Director of Corporate Services.

3.6.1 The Director of Corporate Services is authorised to discharge all functions and responsibilities in terms of all relevant legislation and regulations, and within policy and agreed budgets, for the following functions:

- Finance³
- Human Resources
- Estates & Project Management
- Administration

³ For the purpose of Section 1 of The Local Government Finance Act (Northern Ireland) 2011, the Senior Finance Officer is designated responsible for the administration of the Council's financial affairs.

Section 7 of the Local Government (Northern Ireland) Act 2014

Arrangements for discharge of functions of Council

7. (1) A Council may arrange for the discharge of any of its functions—

- (a) by a committee, a sub-committee or an officer of the Council; or
- (b) by any other Council.

(2) Subsection (1) is subject to any express provision contained in this Act or any Act passed after this Act.

(3) A Council's functions with respect to—

- (a) making a district rate under the Rates (Northern Ireland) Order 1977;
- (b) making a determination under section 13(1) of the Local Government Finance Act (Northern Ireland) 2011 (affordable borrowing limit) and monitoring an amount determined under that subsection;
- (c) borrowing money; and
- (d) acquiring or disposing of land, may only be discharged by the Council itself.

(4) Where by virtue of this section any functions of a Council may be discharged by a committee of the Council, the committee may arrange for the discharge of any of those functions by—

- (a) a sub-committee; or
- (b) an officer of the Council.

(5) Subsection (4) is subject to any contrary direction by the Council.

(6) Where by virtue of this section any functions of a Council may be discharged by a sub-committee of the Council, the sub-committee may arrange for the discharge of any of those functions by an officer of the Council.

(7) Subsection (6) is subject to any contrary direction by the Council or the committee.

Specified Officer Positions

The officers to which this Scheme applies are specified as follows:

- i. The Chief Executive
- ii. Director of Strategic Planning & Performance (Deputy Chief Executive)
- iii. Director of Enterprise, Regeneration & Tourism
- iv. Director of Active & Healthy Communities
- v. Director of Regulatory & Technical Services
- vi. Director of Corporate Services

Arrangements for Monitoring and Review

Each Department shall appoint an officer with the responsibility for maintaining a register of delegated decisions. Reports on the register shall be brought to relevant Committees on a bi-annual basis.

A corporate register of delegated decisions shall be maintained by the Head of Democratic Services which can be requested to be produced by any Committee of Council at any time. The Head of Democratic Services is the responsible officer for ensuring this register remains current and accurate at all times.

Schedule of Delegated Decisions for Reporting

The following delegated decisions or authorisations are to be reported monthly (unless otherwise specified) to the relevant Committee by the officer responsible for making or granting.

1. Engaging consultancy assistance below the delegated level of £2,000;
2. Decision to commence formal restructuring within a Department or Departments;
3. Consultation responses other than technical responses where officers asked for Member views;
4. Decisions arising from external report on significant Health and Safety at Work;
5. In cases of emergency, the allocation or awarding of financial assistance (small grants) to external groups or organisations below the delegated level of £300; and
6. Other decisions such as those with political, media or industrial relations implications that Directors consider Members should be aware of.

APPENDIX IV

Note these are the principal legislative provisions under which the Council derives its functions. The provisions listed are not exhaustive and responsibility for relevant legislation not expressly referred to will also delegate to the relevant Officers.

Enterprise, Regeneration & Tourism

- The Museums (Northern Ireland) Order 1981
- The Tourism (Northern Ireland) Order 1992 article 30(3)

Environmental Health

- The Animal By Products Regulations (NI) 2003
- The Caravans Act (Northern Ireland) 1963
- The Children and Young Persons (Protection from Tobacco) (Northern Ireland) Order 1991
- The Clean Air (Northern Ireland) Order 1981
- The Clean Neighbourhoods and Environment Act (NI) 2011
- The Construction Products Regulations 1991
- The Consumer Protection Act 1987
- The European Communities Act 1972
- The Food and Environment Protection Act 1985
- The Food (Northern Ireland) Order 1989
- The Food Hygiene Regulations (NI) 2006
- The Food Safety (Northern Ireland) Order 1991
- The General Product Safety Regulations 2005
- The Hairdressers Act (NI) 1939
- The Health and Safety at Work (Northern Ireland) Order 1978
- The Health and Personal Social Services (NI) Order 1978
- The High Hedges Act (NI) 2011
- The Housing of the Working Classes Act 1885
- The Litter (Northern Ireland) Order 1994 - Excluding Article 10
- The Local Government Act (Northern Ireland) 1972
- The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985
- The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1992
- The Poisons (Northern Ireland) Order 1976
- The Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013
- The Pollution Control and Local Government (Northern Ireland) Order 1978
- The Private Tenancies (NI) Order 2006
- The Public Health Acts 1878 to 1971
- The Public Health and Local Government (Miscellaneous Provisions) Act 1949
- The Rats and Mice Destruction Act 1919
- The REACH Enforcement Regulations 2008
- The Regulation of Investigatory Powers Act 2000
- The Rent (Northern Ireland) Order 1978
- The Shops (Sunday Trading etc) (Northern Ireland) Order 1997

- The Smoking (NI) Order 2006
- The Safety of Sports Grounds (Northern Ireland) Order 2006
- The Sun beds Act (Northern Ireland) 2011
- The Controls on Ozone-Depleting Substances Regulations (Northern Ireland) 2011
- The Ozone-Depleting Substances (Qualifications) Regulations (Northern Ireland) 2011
- The Fluorinated Greenhouse Gases Regulations (Northern Ireland) 2009
- The Transmissible Spongiform Encephalopathy Regulations (NI) 2006
- The Anti-Social Behaviour (NI) Order 2004
- The Noise Act 1996
- The Volatile Organic Compounds in Paints, Varnishes and Vehicle Refinishing Products Regulations 2005
- The Waste and Contaminated Land (NI) Order 1997
- The Welfare of Animals Act (NI) 2011
- The Welfare Services Act (Northern Ireland) 1971
- Regulation (EC) No 178/2002 Laying Down the General Principles and requirements of Food Law, Establishing the European Food Safety Authority and Laying Down Procedures in matters of Food Safety
- Regulation (EC) No 852/2004 The Hygiene of Foodstuffs
- Regulation (EC) No 853/2004 Laying Down Specific Hygiene Rules for Food of Animal Origin
- Regulation (EC) No 854/2004 Laying Down Specific Rules for the Organisation of Official Controls on Products of Animal Origin Intended for Human Consumption
- Regulation (EC) No 882/2004 Official Controls Performed to Ensure the Verification of Compliance with Feed and Food law, Animal Health and Animal Welfare Rules
- Regulation (EC) No. 1907/2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals.
- Dogs (Guard Dog Kennels) Regulations (Northern Ireland) 2013
- Welfare of Animals (Dog Breeding Establishments and Miscellaneous Amendments) Regulations (Northern Ireland) 2013

Leisure

- The Recreation and Youth Service (NI) Order 1986 Article 10
- The Nature Conservation and Amenity Lands (NI) Order 1985 Article 4
- The Registration of Clubs (Northern Ireland) 1987

Community Engagement

- The Justice Act (Northern Ireland) 2011 ((functions of the Newry, Mourne & Down Policing and Community Safety Partnership (PCSP))

Waste Management

- Article 41(2)(C) of the Rates (Northern Ireland) Order 1977
- Animal By-Products (Enforcement) (Amendment) Regulations (Northern Ireland) 2014/184
- Animal By-Product (Enforcement) Regulation Northern Ireland 2011 SR 124
- Animal By-Products (Enforcement) (Amendment) Regulations (Northern Ireland) 2011 SR 258
- Single Use Carrier Bags Charge Regulations (Northern Ireland) 2013 SR 4
- Carrier Bags Act (Northern Ireland) 2014
- Controlled Waste (Amendment) Regulations (Northern Ireland) 2003 SR 404
- Controlled Waste (Duty of Care) Regulations (Northern Ireland) 2002 SR 271
- Controlled Waste (Duty of Care) (Amendment) Regulations (Northern Ireland) 2004 SR 277
- Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations (Northern Ireland) 1999 SR 362
- Controlled Waste and Duty of Care Regulations (Northern Ireland) 2013 SR 255
- Controlled Waste Duty of Care (Amendment) Regulations (Northern Ireland) 2014 SR 117
- Controlled Waste (Seizure of Property) Regulations (Northern Ireland) 2013 SR 260
- End of Life Vehicles Regulations 2003 SI 2635
- End-of-Life Vehicles (Amendment) Regulations 2010 SI 1094
- End-of-Life Vehicles (Producer Responsibility) Regulations 2005 SI 263
- End-of-Life Vehicles (Producer Responsibility) (Amendment) Regulations 2010 SI 1095
- Environment (Northern Ireland) Order 2002 SI 3153 (NI 7) (including amendments up to 2004)
- Environmental Protection (Disposal of Polychlorinated Biphenyls and other Dangerous Substances) (Northern Ireland) Regulations 2000 SR 232
- EU Regulations 592/2014 amending EU142/2011 as regards the use of animal by-products and derived products as a fuel in combustion plants
- EU Regulation laying down health rules as regards animal by-products and derived products not intended for human consumption 1069/2009
- EU Regulation on Shipments of Waste 1013/2006
- Hazardous Waste Regulations (Northern Ireland) 2005 SR 300
- Hazardous Waste (Amendment) Regulations (Northern Ireland) 2005 SR 461
- Landfill Regulations (Northern Ireland) 2003 SR 496
- Landfill (Amendment) Regulations (Northern Ireland) 2004 SR 297
- Landfill (Amendment) Regulations (Northern Ireland) 2007 SR 179
- Landfill (Amendment No 2) Regulations (Northern Ireland) 2007 SR 258

- Landfill (Amendment) Regulations (Northern Ireland) 2011 SR 101
- Landfill (Amendment) Regulations (Northern Ireland) 2013 SR 161
- List of Wastes Regulations (Northern Ireland) 2005 SR 301
- List of Wastes (Amendment) Regulations (Northern Ireland) 2005 SR 462
- Packaging (Essential Requirements) Regulations 2003 SI 1941
- Packaging (Essential Requirements) (Amendment) Regulations 2004 SI 1188
- Packaging (Essential Requirements) (Amendment) Regulations 2006 SI 1492
- Packaging (Essential Requirements) (Amendment) Regulations 2009 SI 1504
- Planning (Management of Waste from Extractive Industries) Regulations (Northern Ireland) 2010 SR 64
- Pollution Control and Local Government (Northern Ireland) Order 1978 SR 1049 (NI 19)
- Pollution Prevention Control (Industrial Emissions) Regulations (Northern Ireland) 2013 SR 160
- Producer Responsibility Obligations (Northern Ireland) Order 1998 SI 1762 (Northern Ireland 16) (including amendments up to 2004)
- Producer Responsibility Obligations (Packaging Waste) Regulations (Northern Ireland) 2007 SR 198
- Producer Responsibility Obligations (Packaging Waste) Regulations (Northern Ireland) 2008 SR 373
- Producer Responsibility Obligations (Packaging Waste) (Amendment) Regulations (Northern Ireland) 2008 SR 77
- Producer Responsibility Obligations (Packaging Waste) (Amendment) Regulations (Northern Ireland) 2010 SR 396
- Producer Responsibility obligations (Packaging Waste) (Amendment) Regulations (Northern Ireland) 2013 SR 262
- Tran frontier Shipment of Radioactive Waste and Spent Fuel Regulations 2008 SI 3087
- Tran frontier Shipment of Waste Regulations 2007 SI 1711
- Tran frontier Shipment of Waste (Amendment) Regulations 2008 SI 9
- Tran frontier Shipment of Waste (Amendment) Regulations 2014 SI 861
- Waste (Amendment)(Northern Ireland) Order 2007 SI 611
- Waste Batteries and Accumulators Regulations 2009 SI 890 (Adobe PDF - 276KB)
- Waste Batteries and Accumulators (Charges) Regulations (Northern Ireland) 2009
- Waste Batteries and Accumulators (Treatment and Disposal) Regulations (Northern Ireland) 2009
- Waste and Contaminated Land (Northern Ireland) Order 1997 SI 2778 (NI 19) (including updates)
- Waste and Contaminated Land (Amendment) Act (Northern Ireland) 2011
- Waste Electrical and Electronic Equipment Regulations 2013 SI 3113
- Waste Electrical and Electronic Equipment (Charges) Regulations (Northern Ireland) 2014 SR 202
- Waste Electrical and Electronic Equipment (Waste Management Licensing) Regulations (Northern Ireland) 2006 SR 519

- Waste Management Regulations (Northern Ireland) 2006 SR 280
- Waste Management (Miscellaneous Provisions) Regulations (Northern Ireland) 2008 SR 18
- Waste Management Licensing Regulations (Northern Ireland) 2003 SR 493
- Waste Management Licensing (Amendment) Regulations (Northern Ireland) 2009 SR 76
- Waste Management Licensing (Amendment) Regulations (Northern Ireland) 2011 SR 403
- Waste (Northern Ireland) Regulations 2011 SR 127
- Waste (Amendment) Regulations (Northern Ireland) 2013 SR 241
- Batteries and Accumulators (Placing on the Market) (Amendment) Regulations 2012 SI 1139

Licensing

- Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985
- Cinemas (Northern Ireland) Order 1991
- Petroleum (Regulation) Ads (Northern Ireland) 1929 and 1937
- Registration of Clubs (Northern Ireland) Order 1996
- Town Improvement Clauses Act 1847

Building Control

- The Building Regulations (Northern Ireland) Order 1979
- The Building Regulations (Northern Ireland) 1990
- The Building Regulations (Northern Ireland) 2000.
- The Building (prescribed Fees) Regulations (Northern Ireland) 1997
- Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008
- The Towns Improvement (Ireland) Act 1854, Section 39
- The Towns Improvement Clauses Act 1947
- The Public Health Acts Amendments 1907, Section 30
- The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985
- The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1995

Planning

- The Planning Act (Northern Ireland) 2011
- The Planning (Northern Ireland) Order 1991

Facilities Management & Maintenance

- The Burial Grounds Regulations (Northern Ireland) 1992

Dogs

- Dogs (Northern Ireland) Order 1983, as amended
- Control of Greyhounds etc. Act (Northern Ireland) 1950
- Dangerous Dogs Compensation and Exemption Schemes Order (Northern Ireland) 1991
- Dangerous Dogs (Northern Ireland) Order 1991

Off-Street Parking

- The Road Traffic Regulation (NI) Order 1997
- The Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010
- The Roads (Northern Ireland) Order 1993
- The Road Traffic Regulation (Northern Ireland) Order 1997

ENTERPRISE, REGENERATION & TOURISM COMMITTEE

-TERMS OF REFERENCE-

Scope

The **Enterprise, Regeneration & Tourism Committee** ("the Committee") will be responsible for clustering enterprise, regeneration and tourism activity across the District in order to drive and support the local economy.

- Developing an integrated enterprise, regeneration and tourism product for the District;
- Making the District a premier tourism destination on the island of Ireland;
- Leading on the renewal, regeneration and development of the District's City, Towns, Villages and rural settlements , and maximising and securing opportunities for job creation and retention throughout the district;
- Developing and implementing a vibrant cultural, arts and events programme for the District;
- Maximising and securing opportunities for regional, national and international investment for enterprise, regeneration and tourism;
- Leading on the promotion and marketing of the District, and the engagement of key stakeholders for enterprise, regeneration and tourism;
- Contributing to the delivery of both Corporate and Community Plan objectives as sole advocate and custodian of the economic strand;
- Leading on the development and implementation of suitable strategies, policies and programmes for enterprise, regeneration and tourism; and
- The effective stewardship of delegated responsibilities for the District's resources and assets (physical, financial, people and property based) for enterprise, regeneration and tourism.

Membership

The Committee is comprised of the fifteen (15) Elected Members appointed to the Committee at the Annual General Meeting (AGM).

Chairperson

Arrangements for the appointment of a Committee Chairperson and Deputy Chairperson will be finalised at the AGM.

Meetings

Arrangements for future meetings will be confirmed at the inaugural meeting of the Committee.

All meetings of the Committee will be governed by the Council's Standing Orders and the N Ireland Code of Conduct for Councillors.

Sub-Committees & Working Groups

The Committee has the facility to establish and appoint any number of Sub-Committees and Working Groups, as are necessary, to consider in more detail the work of the Committee.

Communication & Reporting

The Minutes of the Committee will reported at each meeting of the Council by the Committee Chairperson.

STRATEGY POLICY & RESOURCES COMMITTEE

-TERMS OF REFERENCE-

Scope

The **Strategy Policy & Resources Committee** (“the Committee”) will be responsible for the effective and efficient operation of the Council, as well as setting its future strategic direction.

- Responsible for the development of the key strategic plans of the Council, including the Corporate Plan, the Community Plan, the Improvement Plan and the Local Development Plan;
- Responsible for the effective planning and stewardship of the Council's entire resources and assets (financial, employees, information technology and land/property assets);
- Responsible for the management of the Council's policy development framework, including a statutory duty of Equality and development of policy on matters including the Irish language, youth and age friendly disability and safe guarding strategies;
- Responsible for the policy on consultation and engagement with the Council's key stakeholder groups and for public sector collaboration;
- Responsible for the Council's performance management framework, including the setting of performance targets and the oversight of performance across the organisation and for change management;
- Responsible for securing future organisational change in support of Council improvement and modernisation;
- Responsible for the development and delivery of key corporate projects;
- Responsible for the Council's corporate communications, public consultation; public relations and media; marketing and publications and
- Leading on the development and implementation of suitable strategies, policies and programmes to assist with the effective and efficient operation of the Council, to include matters relating to finance and systems; grants administration; human resources; estates and project management ; administration and registration;
- Responsible for the effective planning and stewardship of the Council's entire resources and assets

Membership

The Committee is comprised of the fifteen (15) Elected Members appointed to the Committee at the Annual General Meeting (AGM).

Chairperson

Arrangements for the appointment of a Committee Chairperson and Deputy Chairperson will be finalised at the AGM.

Meetings

Arrangements for future meetings will be confirmed at the inaugural meeting of the Committee.

All meetings of the Committee will be governed by the Council's Standing Orders and the NI Local Government Code of Conduct for Councillors.

Sub-Committees & Working Groups

The Committee has the facility to establish and appoint any number of Sub-Committees and Working Groups, as are necessary, to consider in more detail the work of the Committee.

Communication & Reporting

The Minutes of the Committee will be reported at each meeting of the Council by the Committee Chairperson.

ACTIVE AND HEALTHY COMMUNITIES COMMITTEE

-TERMS OF REFERENCE-

Scope

The **Active and Healthy Communities Committee** (“the Committee”) will be responsible for improving the health, wellbeing and social cohesiveness of the District’s communities.

- Leading on the improvement of health outcomes and the facilitation of healthy lifestyles through leisure, sporting and recreation provision and through health promotion and prevention policies;
- Leading on the development and implementation of suitable strategies, policies and programmes for environmental education and protection and for biodiversity;
- Provision of environmental health services, including public health and safety and corporate health and safety;
- Tackling disadvantage and building active, engaged and responsible citizenship through the provision and support of community services, facilities and events;
- Implementation of the PEACE and Good Relations programmes
- Improving social and community cohesion through effective community relations and development and implementation of the voluntary contributions programme;
- Managing and overseeing local structures for Policing and Community Safety (PCSP);
- Maximising and securing opportunities for regional, national and international investment for community health, wellbeing and social cohesiveness and developing and implementing suitable strategies and programmes;
- Leading on the development and implementation of suitable strategies, policies and programmes for community health, wellbeing and social cohesiveness;
- Ensuring the design and delivery of Council functions and services are accessible to all citizens;
- Responsible for sports development, including leisure and recreation programmes and facilities;
- Responsible for parks and open spaces, including playing fields and play grounds
-
- The effective stewardship of delegated responsibilities for the District’s resources and assets (financial, people and property based) for environmental protection and services; well being ;social cohesiveness and community engagement and leisure and sport.

Membership

The Committee is comprised of the fifteen (15) Elected Members appointed to the Committee at the Annual General Meeting (AGM).

Chairperson

Arrangements for the appointment of a Committee Chairperson and Deputy Chairperson will be finalised at the AGM.

Meetings

Arrangements for future meetings will be confirmed at the inaugural meeting of the Committee.

All meetings of the Committee will be governed by the Council's Standing Orders and the N Ireland Code of Conduct for Councillors.

Sub-Committees & Working Groups

The Committee has the facility to establish and appoint any number of Sub-Committees and Working Groups, as are necessary, to consider in more detail the work of the Committee.

Communication & Reporting

The Minutes of the Committee will reported at each meeting of the Council by the Committee Chairperson.

REGULATORY AND TECHNICAL SERVICES COMMITTEE

-TERMS OF REFERENCE-

Scope

The **Regulatory and Technical Services Committee** (“the Committee”) will be responsible for protecting both the natural and built environment of the District in accordance with the discharge of specified statutory functions and services, including planning development management and control.

- Responsible for the provision of the Waste Management function, including waste management; waste disposal; recycling and environmental cleansing;
- Responsible for facilities management and maintenance, including grounds maintenance; facilities and buildings maintenance; cemeteries and public conveniences;
- Responsible for the Council's domestic services function, including caretakers and security; canteens; corporate receptions and switchboards;
- Responsible for the provision of an Emergency Planning function;
- Responsible for the provision the Building Control function, including building regulations; safety in the build environment; licensing; postal numbering;
- Responsible for the provision of technical services, including grounds and fleet maintenance;
- Responsible for transferred roads functions;
- The effective stewardship of delegated responsibilities for the District's resources and assets (physical, financial, people and property based) for waste management; building control and regulation; and facilities management and maintenance

Membership

The Committee is comprised of the fifteen (15) Elected Members appointed to the Committee at the Annual General Meeting (AGM).

Chairperson

Arrangements for the appointment of a Committee Chairperson and Deputy Chairperson will be finalised at the AGM.

Meetings

Arrangements for future meetings will be confirmed at the inaugural meeting of the Committee.

All meetings of the Committee will be governed by the Council's Standing Orders and the NI Local Government Code of Conduct for Councillors.

Sub-Committees & Working Groups

The Committee has the facility to establish and appoint any number of Sub-Committees and Working Groups, as are necessary, to consider in more detail the work of the Committee.

Communication & Reporting

The Minutes of the Committee will reported at each meeting of the Council by the Committee Chairperson.

PLANNING COMMITTEE

TERMS OF REFERENCE

Scope

The Planning Committee will be responsible for the effective and efficient operation of the planning function and the discharge of its specified statutory functions.

- Responsible for determining all planning applications presented to the Council for decision.
- Responsible for the preparation of the local development plan.
- Responsible for oversight of planning enforcement within the Council area.
- Responsible for the approval of responses on behalf of the Council to consultation on planning applications being considered by other planning authorities.

Membership

The Committee is comprised of 12 Elected Members appointed to the Committee at the Annual General Meeting.

Meetings

Meetings of the planning committee will be held every four weeks.

All meetings will be governed by the Council's Standing Orders and the Code of Conduct for Councillors.

Communication and Reporting

The Minutes of the Committee will be reported at the next subsequent meeting of the Planning Committee by the Committee Chairperson.

AUDIT COMMITTEE

-TERMS OF REFERENCE-

Scope

The **Audit Committee** (“the Committee”) will be responsible for assisting the Council in fulfilling its responsibility for the integrity of the Council’s financial and operational results, compliance with legal and regulatory requirements and performance of internal and external audit .

- To consider the effectiveness of the authority’s risk management arrangements, the control environment and associated anti-fraud and anti-corruption arrangements
- To seek assurances that action is being taken on risk related issues identified by auditors and inspectors
- To be satisfied that the authority’s assurance statements, including the statement on internal control, properly reflect the risk environment and any actions required to improve it
- To approve (but not direct) internal audit’s strategy, plan and monitor performance
- To review summary internal audit reports and the main issues arising, and seek assurance that action has been taken where necessary
- To receive the annual report of the Head of Internal Audit
- To consider the findings of the review of the effectiveness of the systems of internal audit
- To consider the reports of external audit and inspection agencies
- To ensure that there are effective relationships between external and internal audit, inspection agencies and other relevant bodies, and that the value of the audit process is actively promoted
- To review the financial statements, external auditor’s opinion and reports to members, and monitor management action in response to the issues raised by external audit.

Membership

The Committee is comprised of the ten (10) Elected Members appointed to the Committee at the Annual General Meeting (AGM), plus one independent suitability qualified person, who will be recruited for the 4-year term of the Council.

Chairperson

The Chairperson shall be the independent Member of the Committee and they shall serve as Chairperson for the 4-year term of the Committee.

Meetings

The frequency of the meetings will be driven by the scale and nature of the business with the Committee meeting at least three times per year to enable it to discharge its duties adequately and effectively. In a normal year the Committee will meet four times.

All meetings of the Committee will be governed by the Council's Standing Orders and the N Ireland Code of Conduct for Councillors.

Communications & Reporting

The Minutes of the Committee will be reported at a Meeting of the Council by the Head of Finance or, in their absence, by an alternative Senior Officer of Council.

Appendix 1

Order of Pick by d'Hondt	
1	SF
2	SDLP
3	SF
4	SDLP
5	SF
6	SDLP
7	DUP
8	SF
9	SDLP
10	UUP
11	SF
12	SDLP
13	SF
14	SDLP
15	SF
16	SDLP
17	DUP
18	ALL
19	SF
20	SDLP
21	SF
22	SDLP
23	UUP
24	SF
25	SDLP
26	DUP
27	SF
28	SDLP
29	SF
30	SDLP
31	SF
32	SDLP
33	UKIP
34	SF
35	UUP
36	SDLP
37	Hyland
38	DUP
39	Enright
40	Tinnelly
41	ALL
42	SF
43	SDLP
44	SF
45	SDLP
46	SF
47	SDLP
48	DUP
49	SF
50	SDLP
51	UUP
52	SF
53	SDLP
54	SF, PCSP
55	SDLP, PCSP
56	SF, PCSP
57	SDLP, PCSP
58	DUP, PCSP
59	ALL
60	SF, PCSP
61	SDLP, PCSP
62	SF, PCSP
63	SDLP, PCSP
64	UUP, PCSP

PCSP Allocation

Note: Pick 59 – Alliance will be taken immediately following pick 53

Picks 54 – 64 (with exception of pick 59) will be filled by those to be appointed to the PCSP:

4 SF (picks 54/56/60/62)

4 SDLP (picks 55/57/61/63)

1 DUP (pick 58)

1 UUP (pick 64)

Statutory Positions of Responsibility – Total of 64

Appendix 2

POSITION	
Chair of Council Year 1	
Chair of Council Year 2	
Chair of Council Year 3	
Chair of Council Year 4	
Deputy Chair of Council Year 1	
Deputy Chair of Council Year 2	
Deputy Chair of Council Year 3	
Deputy Chair of Council Year 4	
Chair - ERT Year 1	
Chair - ERT Year 2	
Chair - ERT Year 3	
Chair - ERT Year 4	
Deputy Chair - ERT Year 1	
Deputy Chair - ERT Year 2	
Deputy Chair - ERT Year 3	
Deputy Chair - ERT Year 4	
Chair - AHC Year 1	
Chair - AHC Year 2	
Chair - AHC Year 3	
Chair - AHC Year 4	
Deputy Chair - AHC Year 1	
Deputy Chair - AHC Year 2	
Deputy Chair - AHC Year 3	
Deputy Chair - AHC Year 4	
Chair - RTS Year 1	
Chair - RTS Year 2	
Chair - RTS Year 3	
Chair - RTS Year 4	
Deputy Chair - RTS Year 1	
Deputy Chair - RTS Year 2	
Deputy Chair - RTS Year 3	
Deputy Chair - RTS Year 4	
Chair - SPR Year 1	
Chair - SPR Year 2	
Chair - SPR Year 3	
Chair - SPR Year 4	
Deputy Chair - SPR Year 1	
Deputy Chair - SPR Year 2	
Deputy Chair - SPR Year 3	
Deputy Chair - SPR Year 4	
Chair - Planning Year 1	
Chair - Planning Year 2	
Chair - Planning Year 3	
Chair - Planning Year 4	
Deputy Chair - Planning Year 1	
Deputy Chair - Planning Year 2	
Deputy Chair - Planning Year 3	
Deputy Chair - Planning Year 4	
Partnership Panel for NI: 4 Year Term	
NI Housing Executive: 4 Year Term	
Reserve Forces & Cadets' Assoc for NI: 4 Year Term	
Arc21 - Position 1: 4 Year Term	
Arc21 - Position 2: 4 Year Term	
Arc21 - Position 3: 4 Year Term	
PCSP Position 1: 4 Year Term	SF
PCSP Position 2: 4 Year Term	SDLP
PCSP Position 3: 4 Year Term	SF
PCSP Position 4: 4 Year Term	SDLP
PCSP Position 5: 4 Year Term	DUP
PCSP Position 6: 4 Year Term	SF
PCSP Position 7: 4 Year Term	SDLP
PCSP Position 8: 4 Year Term	SF
PCSP Position 9: 4 Year Term	SDLP
PCSP Position 10: 4 Year Term	UUP

Appointments to Committees – Mock Run AGM

Committee	Total Membership	Allocated by Quota of Greatest Remainder	Remaining positions to be allocated by d'Hondt if so agreed by Council	Totals
Enterprise, Regeneration & Tourism	15	SF 5 SDLP 5 DUP 1 UUP 1	3	15
Active and Healthy Communities	15	SF 5 SDLP 5 DUP 1 UUP 1	3	15
Regulatory and Technical Services	15	SF 5 SDLP 5 DUP 1 UUP 1	3	15
Strategic Planning and Resources	15	SF 5 SDLP 5 DUP 1 UUP 1	3	15
Planning	12	SF 4 SDLP 4 DUP 1	3	12
Audit	10	SF 3 SDLP 3	4	10

Report to AGM – 31 March 2015

Subject: Appointment of representatives to external bodies and organisations (excluding statutory positions of responsibility)

Date: 24 March 2015

Reporting Officer: Liam Hannaway, Chief Executive

Contact Officer: Eileen McParland, Democratic Services Manager

Decisions required:

Members are asked to note the contents of the report and consider and agree to the recommendations concerning:

- arrangements for the appointment of representatives to external bodies and organisations (excluding statutory positions of responsibility) to ensure proportionality.

1.0 Purpose and Background:

The purpose of this report is to recommend for members' consideration, arrangements for the proportionate allocation of members to external bodies and organisations (excluding statutory positions of responsibility).

2.0 Key Issues:

- 2.1 At Governance Committee Meeting on 10 February 2015¹ arrangements for appointment of members to statutory positions of responsibility, including the term of appointment for external positions of responsibility were agreed.
- 2.2 Whilst Schedule 1 of the Local Government Act (NI) 2014 details arrangements to be followed by Councils for filling statutory positions of responsibility, this legislation does not extend beyond statutory positions of responsibility and the Council therefore has to be make arrangements for such appointments.
- 2.3 It was agreed at Governance Committee Meeting on 10 February 2015¹ as a general principle, the Council will not make appointments to those external bodies and other organisations to which Council may provide funding (it should be noted this does not apply to organisations such as NILGA, National Association of Councils and East Border Region etc). It was further agreed that no appointments will be made by the Council to the Boards of Community Centres or Community Associations.

2.4 Having taken the decision outlined in 2.3, the Governance Committee Meeting on 10 March 2015 agreed arrangements for appointments to other external bodies and organisations to ensure proportionality and the list of organisations to which the Council has agreed to appoint is listed at enclosure 1, together with proportionate method of allocation.

Resource Implications

There are no recourse implications contained within this report.

Appendices:

Enclosure 1 – List of external appointments.

Enclosure 1

Organisation	Number of Members and recommended arrangements	Term
LAG Board	12 Members: 4 Sinn Fein, 4 SDLP, 3 Unionists, 1 other to be confirmed via local arrangement	4 years required
Warrenpoint Harbour Authority	3 Members: 2 Sinn Fein, 2 SDLP, 1 DUP, 1 UUP Council must submit 6 names and Minister will choose 3 of names submitted	4 years required
Louth, Newry, Mourne & Down Joint Committee	9 Members: 3 Sinn Fein, 3 SDLP, 3 others to be confirmed via local arrangement	4 years required
East Border Region Board, East Bprder Region Forum	6 – Members: 3 – Members: 2 Sinn Fein, 2 SDLP, 2 others to be confirmed via local arrangement 3 Directors to be appointed from the Forum Members	4 year term recommended
NILGA	8 Members: 3 Sinn Fein, 3 SDLP, 2 others to be confirmed via local arrangement	4 years required
National Association of Councillors (NAC)	8 Members: 3 Sinn Fein, 3 SDLP, 2 others to be confirmed via local arrangement	4 years recommended
Local Government Partnership on Travellers Issues	3 Members: 1 Sinn Fein, 1 SDLP, 1 other to be confirmed via local arrangement	4 years recommended
Northern Ireland Amenity Council	2 Members: 1 Sinn Fein, 1 SDLP	4 years recommended
SOMME Advisory Council	2 Members: 2 Unionists	4 years recommended

Appointments to external Bodies/Organisations
(Non – Statutory Positions)

Appendix 4

LAG Board Position 1
LAG Board Position 2
LAG Board Position 3
LAG Board Position 4
LAG Board Position 5
LAG Board Position 6
LAG Board Position 7
LAG Board Position 8
LAG Board Position 9
LAG Board Position 10
LAG Board Position 11
LAG Board Position 12
Warrenpoint Harbour Authority Nomination 1
Warrenpoint Harbour Authority Nomination 2
Warrenpoint Harbour Authority Nomination 3
Warrenpoint Harbour Authority Nomination 4
Warrenpoint Harbour Authority Nomination 5
Warrenpoint Harbour Authority Nomination 6
Louth, Newry, Mourne and Down (LNMD) Joint Committee Position 1
LNMD Joint Committee Position 2
LNMD Joint Committee Position 3
LNMD Joint Committee Position 4
LNMD Joint Committee Position 5
LNMD Joint Committee Position 6
LNMD Joint Committee Position 7
LNMD Joint Committee Position 8
LNMD Joint Committee Position 9
East Border Region Position 1
East Border Region Position 2
East Border Region Position 3
East Border Region Position 4
East Border Region Position 5
East Border Region Position 6
NILGA Position 1
NILGA Position 2
NILGA Position 3
NILGA Position 4
NILGA Position 5
NILGA Position 6
NILGA Position 7
NILGA Position 8
National Association of Councillors 1
National Association of Councillors 2
National Association of Councillors 3
National Association of Councillors 4
National Association of Councillors 5
National Association of Councillors 6
National Association of Councillors 7
National Association of Councillors 8
Local Government Partnership of Travellers Issues Position 1
Local Government Partnership of Travellers Issues Position 2
Local Government Partnership of Travellers Issues Position 3
Northern Ireland Amenity Council Position 1
Northern Ireland Amenity Council Position 2
Somme Advisory Council Position 1
Somme Position Council Position 2

Report to:	Annual General Meeting
Subject:	Party Representatives' Forum
Date:	31 March 2015
Reporting Officer:	Liam Hannaway, Chief Executive
Contact Officer:	Johnny McBride, Change Manager

Decisions Required

Members are asked to note the contents of the report which was approved at the Governance Committee Meeting held on 10 March 2015 and presented for ratification at the Shadow Council Meeting on 31 March 2015.

1.0 **Purpose & Background**

- 1.1 The purpose of this report is to present for noting, Terms of Reference for the Party Representatives' Forum.

4.0 **Appendices**

- **Appendix I – Terms of Reference**

Newry, Mourne & Down District Council

Party Representatives' Forum

-TERMS OF REFERENCE-

Scope

The Party Representatives' Forum ("the Forum") shall be responsible for:

- Providing support to the Council's formal decision-making structures by enabling local Political Parties and Groupings to consider important policy matters and related issues, in advance of presentation to Council or its Committees for decision;
- Performing the role of a political "sounding-board" for Officials to explore important policy development issues, as well as to enable Party Groupings on Council to explore each others' policy positions in respect of certain matters; and
- The Forum shall **not** have any decision-making authority.

Membership

The Forum shall be comprised of the following:

- Mayor / Chairman & Deputy Mayor / Chairman;
- A maximum of one representative from each of the following recognised Political Parties on Council (Sinn Fein, SDLP, DUP and UUP); and
- A single representative on behalf of Alliance, UKIP and the Independent Councillors (this arrangement will require Alliance, UKIP and all Independent Councillors to come together as one Grouping)

In the event the Alliance, UKIP and Independent Councillors cannot agree a single representative then this Grouping shall not be entitled to representation on the Forum.

The same shall also apply in the event any member of this Alliance / UKIP / Independent Councillors' Grouping withdraws support for the (previously agreed) representative.

Chairperson

The Forum shall be Chaired by the Mayor / Chairman.

In the absence of the Mayor / Chairman, the Forum shall be Chaired by the Deputy Mayor / Chairman.

In the absence of the Deputy Mayor / Chairman, a Chair for the meeting shall be agreed by the Political Parties and Groupings present.

Meetings

All meetings of the Forum will be governed by the Standing Orders and the Code of Conduct.

Attendance at Meetings shall be restricted to the representatives considered as part of the Membership arrangements.

In exceptional circumstances, the attendance of other Councillors may be permitted. This however shall require the prior agreement of the Forum.

Agenda, Reports & Minutes

All agenda, reports and minutes of the Forum shall be circulated to all forty-one (41) Members of Council.

Officer Support

Primary officer support shall be provided by the Chief Executive and supplemented by the attendance of the Senior Management Team.

Additional Officer attendance may be required, on an exceptional basis, for specific issues but shall require the prior agreement of the Chair.

Newry, Mourne & Down District Council

-Schedule of Meetings for April 2015/April 2016

Please note this schedule was previously circulated to Councillors – additional changes have now been made and these are highlighted in red

	Page
Council (Full Meeting)	2-3
Planning Committee and Members' Briefing Panel for Planning	4
Enterprise, Regeneration and Tourism Committee	5
Strategic Planning and Resources Committee	6
Active and Healthy Communities Committee	7
Regulatory and Technical Services Committee	8
Audit Committee and pre Audit	9
Crotlieve DEA Meetings	10
Newry DEA Meetings	11
The Mournes DEA Meetings	12
Slieve Gullion DEA Meetings	13
Slieve Croob DEA Meetings	14
Rowallane DEA Meetings	15
Downpatrick DEA Meetings	16

(Full Council Meeting)

Date	Time	Location
Tuesday 5 May 2015	6.00pm	Mourne Room, Downshire Civic Centre
<i>Tuesday 5 May</i>	<i>10.00 am or 4.00 pm (to suit Chair)</i>	<i>Chair's Briefing</i>
Monday 1 June 2015	6.00pm	Mourne Room, Downshire Civic Centre
<i>Monday 1 June</i>	<i>10.00 am or 4.00 pm (to suit Chair)</i>	<i>Chair's Briefing</i>
Monday 6 July 2015	6.00pm	Mourne Room, Downshire Civic Centre
<i>Monday 6 July</i>	<i>10.00 am or 4.00 pm (to suit Chair)</i>	<i>Chair's Briefing</i>
Monday 3 August	6.00pm	Mourne Room, Downshire Civic Centre
<i>Monday 3 August</i>	<i>10.00 am or 4.00 pm (to suit Chair)</i>	<i>Chair's Briefing</i>
Monday 7 September	6.00pm	Mourne Room, Downshire Civic Centre
<i>Monday 7 September</i>	<i>10.00 am or 4.00 pm (to suit Chair)</i>	<i>Chair's Briefing</i>
Monday 5 October	6.00pm	Mourne Room, Downshire Civic Centre
<i>Monday 5 October</i>	<i>10.00 am or 4.00 pm (to suit Chair)</i>	<i>Chair's Briefing</i>
Monday 2 November	6.00pm	Mourne Room, Downshire Civic Centre
<i>Monday 2 November</i>	<i>10.00 am or 4.00 pm (to suit Chair)</i>	<i>Chair's Briefing</i>
Monday 7 December	6.00pm	Mourne Room, Downshire Civic Centre
<i>Monday 7 December</i>	<i>10.00 am or 4.00 pm (to suit Chair)</i>	<i>Chair's Briefing</i>

Monday 4 January 2016	6.00pm	Mourne Room, Downshire Civic Centre
Monday 4 January	10.00 am	Chair's Briefing
Monday 1 February	6.00pm	Mourne Room, Downshire Civic Centre
Monday 1 February	10.00 am or 4.00 pm (to suit Chair)	Chair's Briefing
Monday 7 March	6.00pm	Mourne Room, Downshire Civic Centre
Monday 7 March	10.00 am or 4.00 pm (to suit Chair)	Chair's Briefing
Monday 4 April 2016	6.00 pm	Mourne Room, Downshire Civic Centre
Monday 4 April	10.00 am or 4.00 pm (to suit Chair)	Chair's Briefing

Please note office facilities for Political Parties and Independent Members as follows in Downshire Civic Centre

- Sinn Fein – Meeting Room 4
- SDLP – Meeting Room 1
- DUP – Members Room 4
- UUP – Members Room 2
- ALL/IND/UKIP – Current Chairman's Parlour
- New Chairman's Parlour – former Chief Executive Designate's office

Planning Committee
(2nd Wednesday of each month – every 4 weeks)

Date	Time	Location
15 April 2015	10.00 am	<i>Boardroom, Monaghan Row, Newry</i>
13 May 2015 21 April 2015	10.00am 10.00 am	<i>Boardroom, Monaghan Row, Newry</i> Members Briefing Panel
10 June 2015 19 May 2015	10.00am 10.00 am	<i>Boardroom, Monaghan Row, Newry</i> Members Briefing Panel
Monday 8 July 2015 23 June 2015	10.00 am 10.00 am	<i>Boardroom, Monaghan Row, Newry</i> Members Briefing Panel
5 August 2015 10 July 2015	10.00 am 10.00 am	<i>Boardroom, Monaghan Row, Newry</i> Members Briefing Panel
2 September 2015 11 August 2015	10.00 am 10.00 am	<i>Boardroom, Monaghan Row, Newry</i> Members Briefing Panel
30 September 2015 8 September 2015	10.00 am 10.00 am	<i>Boardroom, Monaghan Row, Newry</i> Members Briefing Panel
28 October 2015 6 October 2015	10.00 am 10.00 am	<i>Boardroom, Monaghan Row, Newry</i> Members Briefing Panel
25 November 2015 3 November 2015	10.00 am 10.00 am	<i>Boardroom, Monaghan Row, Newry</i> Members Briefing Panel
16 December 2015 24 November 2015	10.00 am 10.00 am	<i>Boardroom, Monaghan Row, Newry</i> Members Briefing Panel
20 January 2016 29 December 2015	10.00 am 10.00 am	<i>Boardroom, Monaghan Row, Newry</i> Members Briefing Panel
17 February 2016 26 January 2016	10.00 am 10.00 am	<i>Boardroom, Monaghan Row, Newry</i> Members Briefing Panel
16 March 2016 23 February 2016	10.00 am 10.00 am	<i>Boardroom, Monaghan Row, Newry</i> Members Briefing Panel
13 April 2016 22 March 2016	10.00 am 10.00 am	<i>Boardroom, Monaghan Row, Newry</i> Members Briefing Panel

Enterprise, Regeneration and Tourism Committee
(2nd Monday of each month)

Date	Time	Location
13 April 2015	3.00 pm	
11 May 2015	6.00 pm	
8 June 2015	3.00pm	
10 August 2015	6.00pm	
14 September 2015	3.00pm	
12 October 2015	6.00pm	
9 November 2015	3.00pm	
14 December 2015	6.00pm	
11 January 2016	3.00pm	
8 February 2016	6.00pm	
14 March 2016	3.00pm	
11 April 2016	6.00 pm	

Strategic Planning and Resources Committee
(2nd Thursday of each month)

Date	Time	Location
16 April 2015	6.00pm	
14 May 2015	3.00 pm	
11 June 2015	6.00pm	
13 August 2015	3.00pm	
17 September 2015	6.00pm	
15 October 2015	3.00pm	
12 November 2015	3.00pm	
17 December 2015	3.00 pm	
14 January 2016	6.00pm	
11 February 2016	3.00pm	
18 March 2016 (Friday)	3.00pm	
14 April 2016	6.00 pm	

Active and Health Communities Committee
(3rd Monday of each month)

Date	Time	Location
20 April 2015	6.00pm	
18 May 2015	3.00pm	
15 June 2015	6.00pm	
17 August 2015	3.00pm	
21 September 2015	6.00pm	
19 October 2015	3.00pm	
16 November 2015	6.00pm	
14 December 2015	3.00pm	
18 January 2016	6.00pm	
22 February 2016	3.00pm	
21 March 2016	6.00pm	
18 April 2016	3.00 pm	

Regulatory and Technical Services Committee
(3rd Wednesday of each month)

Date	Time	Location
22 April 2015	3.00pm	
20 May 2015	6.00pm	
17 June 2015	3.00pm	
19 August 2015	6.00pm	
23 September 2015	3.00pm	
21 October 2015	6.00pm	
18 November 2015	3.00pm	
17 December 2015 (Thursday)	6.00pm	
20 January 2016	6.00pm	
17 February 2016	6.00pm	
23 March 2016	3.00pm	
20 April 2016	6.00 pm	

Audit Committee
(held quarterly)

Date	Time	Location
30 April 2015 Pre Audit	2.00pm 1.30 pm	Downpatrick
25 June 2015 Pre Audit	2.00pm 1.30 pm	Downpatrick
29 October 2015 Pre Audit	2.00pm 1.30 pm	Downpatrick
28 January 2016 Pre Audit	2.00pm 1.30 pm	Downpatrick
28 April 2016 Pre Audit	2.00pm 1.30 pm	Downpatrick

CROTLIEVE DEA MEETINGS

Date	Time	Location
12 June 2015	9.00 am	
11 September 2015	9.00 am	
11 December 2015	9.00 am	
18 March 2016	9.00 am	
12 June 2016	9.00 am	

NEWRY DEA MEETINGS

Date	Time	Location
19 June 2015	9.00 am	
18 September 2015	9.00 am	
18 December 2015	9.00 am	
25 March 2016	9.00 am	
19 June 2016	9.00 am	

THE MOURNES DEA MEETINGS

Date	Time	Location
5 June 2015	9.00 am	
4 September 2015	9.00 am	
4 December 2015	9.00 am	
11 March 2016	9.00 am	
5 June 2016	9.00 am	

SLIEVE GULLION DEA MEETINGS

Date	Time	Location
8 May 2015	9.00 am	
7 August 2015	9.00 am	
6 November 2015	9.00 am	
12 February 2016	9.00 am	
6 May 2016	9.00 am	

SLIEVE CROOB DEA MEETINGS

Date	Time	Location
15 May 2015	9.00 am	
14 August 2015	9.00 am	
13 November 2015	9.00 am	
19 February 2016	9.00 am	
13 May 2016	9.00 am	

ROWALLANE DEA MEETINGS

Date	Time	Location
22 May 2015	9.00 am	
21 August 2015	9.00 am	
20 November 2015	9.00 am	
26 February 2016	9.00 am	
20 May 2016	9.00 am	

DOWNPATRICK DEA MEETINGS

Date	Time	Location
29 May 2015	9.00 am	
28 August 2015	9.00 am	
27 November 2015	9.00 am	
4 March 2016	9.00 am	
27 May 2016	9.00 am	

Report to:	Annual General Meeting
Subject:	Special Responsibility Allowances (SRAs)
Date:	31 March 2015
Reporting Officer:	Liam Hannaway, Chief Executive
Contact Officer:	Eileen McParland, Democratic Services Manager

Decisions Required

Members are asked to note the contents of the report as presented to the Shadow Council at their final Meeting on 31 March 2015.

1.0 **Purpose & Background**

- 1.1 The purpose of this report is to present for noting arrangements for payment of Special Responsibility Allowances as provided for in Appendix 1 attached.

2.0 **Key Issues**

Special Responsibility Allowances (SRAs)

- 2.1 Members will be aware that the payment of SRAs is governed by The Local Government (Payments to Councillors) Regulations (2012).
- 2.2 The key issue for Members to consider is that the Regulations provide for the following in respect of SRAs:
- i. A SRA may not be paid to more than fifty percent (50%) of the Councillors of the Council. This means that no more than twenty-one (21) of the Councillors in Newry, Mourne & Down can receive the payment in any given year;
 - ii. A SRA paid to the Chairman or Vice-Chairman of the Council is excluded from the calculation; and
 - iii. A Council may not pay more than one SRA to a Councillor.

3.0 **Resource Implications**

- 3.1 There are no additional resource implications contained within this report as the payment of SRAs will met from within the Council's agreed budget for 2015/16.

5.0 **Appendices**

- **Appendix I** – Schedule of SRAs presented to Shadow Council final meeting on 31 March 2015

